

**FSB54** **Property tax exemption; Unified Human Services Transportation System, Inc., transacting business as RADAR.** Grants real property tax exemption status to Unified Human Services Transportation System, Inc., a charitable nonprofit corporation, for real property owned by them and located in the City of Roanoke. This bill is incorporated into SB 15.

*Patron - Edwards*

**FSB56** **Sales and use tax exemption; Bethany Hall, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of providing a residential treatment program for women with alcohol and other chemical addictions.

*Patron - Edwards*

**FSB66** **Personal property tax; situs for assessment.** Provides that if it cannot be determined where a motor vehicle or boat is normally garaged, docked or parked, the situs shall be the county or city in which such motor vehicle or boat is registered. The bill goes on to provide that if it cannot be determined where travel trailers and airplanes are normally garaged, stored or parked, the situs will be the domicile of the owner of such personal property.

*Patron - Watkins*

**FSB70** **Property tax exemption; Winchester-Frederick County Conservation Club, Inc.** Grants an exemption from real property tax for real property located in the County of Frederick in Gainesboro Magisterial District and identified as Tax Map 29A, Lot 37B; Tax Map 29A, Lot 43B; Tax Map 19A, Lot 53A; Tax Map 19A, Lot 81A; Tax Map 19A, Lot 49; Tax Map 19A, Lot 52E; and Tax Map 29A, Lot 38; and owned by Winchester-Frederick County Conservation Club, Inc. This bill is incorporated into SB 15.

*Patron - Potts*

**FSB75** **Sales and use tax exemption; Justice, Unity, Generosity & Service, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of (i) supporting programs, institutions and organizations designed to aid in the physical development and health improvement of members of the community, with special emphasis on children and youth, and (ii) participating in local, national, civic and educational activities.

*Patron - Colgan*

**FSB85** **Property tax exemption; Instructive Visiting Nurse Association ("IVNA"), IVNA Home Health Care and IVNA Health Services.** Grants an exemption effective January 1, 2002, from real and personal property tax for property located in Henrico County, owned by the Instructive Visiting Nurse Association ("IVNA"), IVNA Home Health Care or IVNA Health Services. This bill is incorporated into SB 15.

*Patron - Stosch*

**FSB86** **Sales and use tax exemption; Beth Shalom Housing Corporation.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2004, to a 501 (c) (3) corporation organized for purposes including but not limited to receiving federal grant assistance under the Department of Housing and Urban Development Section 8 programs.

*Patron - Stosch*

**FSB93** **Sales and use tax exemption; WorldWide-Word, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corpora-

tion organized for the purpose of assisting and equipping churches and organizations to more effectively share the Gospel of Jesus Christ, nurture and serve their members, and foster community through the Internet and other cyberspace media.

*Patron - Howell*

**FSB96** **Sales and use tax exemption; Diabetes Research and Wellness Foundation, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for purposes including but not limited to (i) providing funds for scientific research into treatments and a cure for diabetes, (ii) educating and counseling persons with diabetes via a toll-free help line, and (iii) providing diabetes self-management education.

*Patron - Howell*

**FSB104** **Sales and use tax on food.** Decreases the state sales and use tax on food purchased for human consumption to one and one-half percent beginning April 1, 2003. The state sales tax on such food for the period from April 1, 2002, through March 30, 2003, shall remain at its current level, three percent. Current law provides for a gradual decrease in the state sales and use tax on such food to a rate of one and one-half percent. The tax currently is scheduled to decrease by one-half percent increments. Any decrease in the tax is dependent upon the realization of a certain level of general fund revenue growth for the fiscal year immediately preceding a scheduled decrease in the tax rate. This bill would eliminate all such general fund revenue growth requirements and would automatically decrease the tax to one and one-half percent beginning April 1, 2003.

*Patron - Marye*

**FSB105** **Personal property tax relief on passenger cars, motorcycles, and pickup or panel trucks.** Sets personal property tax relief under the Personal Property Tax Relief Act of 1998 to 55 percent for calendar year 2002. The level of tax relief is set at 70 percent for calendar year 2003 and 100 percent for calendar year 2004 and thereafter, subject to the conditions described under § 58.1-3524. The bill contains an emergency clause.

*Patron - Marye*

**FSB123** **Sales and use tax exemption; Trailview Development Corporation.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) organization organized to provide clean, decent, and safe housing to low-income persons over the age of 55.

*Patron - Wampler*

**FSB125** **Property tax exemption; Woodmen of the World Ironwood Camp #269 and Lodge 6035.** Grants an exemption from real and personal property tax for property located in the City of Bristol and owned by Woodmen of the World Ironwood Camp #269 and Lodge 6035 effective January 1, 2002. This bill is incorporated into SB 15.

*Patron - Wampler*

**FSB126** **Property tax exemption; Harry Wyatt Family Life Center (HWFLC), Inc.** Grants an exemption from real and personal property tax for real property located in Halifax County, and the personal property thereon, owned by the Harry Wyatt Family Life Center (HWFLC), Inc. This bill is incorporated into SB 15.

*Patron - Ruff*

**FSB139** **Individual income tax; structure.** Makes three changes to the structure of the individual income tax beginning with the 2002 taxable year: (i) adding a new income tax bracket of six percent on taxable income in excess of

\$30,000; (ii) eliminating the additional \$800 personal exemption currently benefiting blind or aged taxpayers; and (iii) providing an individual income tax deduction for the amount of social security taxes paid in the taxable year (i.e., federal taxes withheld for old age, survivors, disability insurance, and hospital insurance) up to a maximum deduction of \$6,000 in any taxable year. The bill also provides that any person claiming Virginia's deduction for the elderly (\$6,000 for taxpayers age 62 through 64 and \$12,000 for taxpayers 65 or older) may not also claim the deduction for social security taxes withheld.

*Patron - Miller, K.G.*

**FSB159 Property tax exemption; Heart Havens, Inc.** Grants an exemption from real property tax to Heart Havens, Inc. for real property located in Westmoreland County and identified as Lot 1 D 3A4 1 and Lot 2 D 3A4 1. This bill is incorporated into SB 15.

*Patron - Chichester*

**FSB164 Sales and use tax exemption; Al-Anon.** Retroactively extends the sunset date to July 1, 2005, for a sales and use tax exemption that expired on June 30, 2001, which exempts from sales and use tax § 501 (c) organizations organized for the purpose of providing support services at no cost to Al-Anon family groups and to families and friends of alcoholics within the Commonwealth, including operating an information clearinghouse, staffing a volunteer telephone hotline, providing speakers and literature to promote public awareness of alcoholism, and coordinating Al-Anon public service activities for the general public, schools, hospitals, churches, professional community, and industry.

*Patron - Byrne*

**FSB170 Sales and use taxes; statewide and regional taxes to fund public education and transportation.** Provides for three referendum questions to be voted on at the November 5, 2002 election, each question being mutually exclusive and asking the sense of the voter on additional sales and use taxes. The additional sales and use taxes become effective if the referendum question on the additional tax is affirmed by the voters. One question asks the voters of the Eighth Planning District if there should be an additional one-half of one-percent sales and use tax in the counties and cities of such district with the revenues from the tax to be used for regional transportation projects and programs in Northern Virginia. A second question asks the voters in several counties and cities of the Hampton Roads Planning District if there should be an additional one-percent sales and use tax in such counties and cities with the revenues from the tax to be used for regional transportation projects and programs in Hampton Roads. Both referendum questions are contingent upon approval by a majority of persons voting in a joint referendum of all the cities and counties in the Eighth Planning District and several of the cities and counties in the Hampton Roads Planning District, respectively. The last referendum question asks all persons in the Commonwealth voting on November 5, 2002, if there should be an additional one-half of one-percent sales and use tax in all jurisdictions in the Commonwealth with the revenues to be used for expenses incurred in the operation of public schools and capital projects for public schools. The additional sales and use taxes associated with each referendum question would become effective July 1, 2003.

*Patron - Colgan*

**FSB173 Sales and use tax increase; exemption of certain motor vehicles and boats from tangible personal property taxation.** Provides for a one and one-half percent increase in the retail sales and use tax and exempts certain motor vehicles and boats from local tangible personal property taxation, provided that a constitutional amendment exempting

such motor vehicles and boats is ratified by a majority of voters voting on such measure in November 2004. The tax exemptions and the additional one and one-half percent sales and use tax are effective January 1, 2005. The revenue from the increase in the sales and use tax shall be used to make payments to localities in lieu of the current funding processes to reimburse localities under the Personal Property Tax Relief Act of 1998. The new funding mechanism will begin in calendar year 2005. In general, the amount funded to (i) a county shall be the amount funded to the county in the preceding calendar year plus 15 percent of any increase in the state sales and use tax revenue over the preceding fiscal year; (ii) a city shall be the amount funded to the city in the preceding calendar year plus 11 percent of any increase in the state sales and use tax revenue over the preceding fiscal year; and (iii) a town shall be the amount funded to the town in the preceding calendar year plus five percent of any increase in the state sales and use tax revenue over the preceding fiscal year. Each locality will have a base year funding amount. The base year funding amount shall equal (a) for a county, 15 percent of its total local tax revenues collected in fiscal year 1997; (b) for a city, 11 percent of its total local tax revenues collected in fiscal year 1997; and (c) for a town, five percent of its total local tax revenues collected in fiscal year 1997. The base year amount is used for purposes of determining initial funding amounts to counties, cities, and towns in calendar year 2005.

*Patron - Colgan*

**FSB178 State fuels tax; increase in tax on gasoline, diesel fuel, and liquid alternative fuel.** Increases the fuels tax on (i) gasoline and gasohol from 17 and one-half cents to 22 and one-half cents per gallon, (ii) diesel fuel from 16 cents to 18 cents per gallon, and (iii) liquid alternative fuels used to operate a highway vehicle from 16 cents to 22 and one-half cents per gallon. The tax increases are effective January 1, 2003, and all revenues attributable to the increases shall be paid into the Transportation Trust Fund.

*Patron - Miller, K.G.*

**FSB189 Sales and use tax; food for human consumption.** Exempts food for human consumption from the state sales and use tax.

*Patron - Deeds*

**FSB190 Motor vehicle sales and use tax.** Reduces the sales and use tax from three percent to one and one-half percent on motor vehicles (i) running on fuel that results in lower emissions of oxides of nitrogen, volatile organic compounds, carbon monoxide or particulates or any combination thereof and includes compressed natural gas, liquified natural gas, liquified petroleum gas, hydrogen, and hythane, or (ii) propelled primarily by electric charge.

*Patron - Deeds*

**FSB193 Sales and use tax exemption; Recording for the Blind and Dyslexic, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of (i) serving people who cannot effectively read standard print because of a visual, perceptual or other physical disability and (ii) creating opportunities for individual success by providing and promoting the effective use of accessible educational materials.

*Patron - Deeds*

**FSB194 Sales and use tax exemption; George C. Marshall Research Foundation.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2006, to a 501 (c) (3) organization established primarily for the purpose

of operating a museum and providing educational programs on the life and times of General George C. Marshall.

*Patron - Deeds*

**FSB195 Sales and use tax exemption; Cowpasture River Preservation Association.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2006, to a 501 (c) (3) organization organized for the purpose of preserving the Cowpasture River in its natural state and presenting educational programs about the environment.

*Patron - Deeds*

**FSB202 Sales and use tax exemption; Ceres Alumni Association LLC.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2006, to a 501 (c) (3) organization organized for the purposes of, including but not limited to, (i) establishing and maintaining a recreational center, (ii) establishing and maintaining an agriculture museum exhibiting Future Farmers of America memorabilia and objects related to the history of agriculture, and (iii) participating in fundraising and promoting historical, cultural, and health programs.

*Patron - Houck*

**FSB207 Property tax exemption; Trevilian Station Battlefield Foundation.** Grants a property tax exemption for real property identified as Tax Map Parcels 24-27, 24-28, 24-33, 24-123, 24-124, 24-133, and 24-134 and personal property located in the County of Louisa, owned by Trevilian Station Battlefield Foundation. This bill is incorporated into SB 15.

*Patron - Houck*

**FSB212 Individual income taxes; exemption for victims of terrorist attacks.** Provides an exemption from individual income tax and from filing an individual income tax return for (i) victims of the September 11, 2001, terrorist attacks on or involving the World Trade Center Towers in New York, New York, the Pentagon, or the crash of United Airlines Flight 93 southeast of Pittsburgh, or (ii) any individual who dies as a result of anthrax that is released into the environment by another person with the intent to kill. The exemption is limited to (a) income earned or realized by such persons in the taxable year in which they die, or (b) income earned or realized by the spouses of such individuals in such taxable year. "Victims" of the terrorist attacks includes individuals who were killed as a result of such terrorist attacks or killed in attempting to rescue or recover other persons injured or killed by such attacks. The bill contains an emergency clause.

*Patron - Ticer*

**FSB224 Property tax exemption; STEPS, Inc.** Grants an exemption from real and personal property tax for property owned by STEPS, Inc. and located in Lunenburg County. This bill is incorporated into SB 15.

*Patron - Ruff*

**FSB225 Sales and use tax exemption; Southside Training, Employment and Placement Services, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of providing job training and employment opportunities to individuals with disabilities, welfare recipients and others with barriers to employment.

*Patron - Ruff*

**FSB229 Property tax exemption; Augusta Regional Free Clinic, Inc.** Grants a property tax exemption, effective January 1, 2002, to Augusta Regional Free Clinic, Inc., a charitable nonprofit corporation, for real and personal property

owned by the organization and located in Augusta County. This bill is incorporated into SB 15.

*Patron - Hanger*

**FSB232 Sales and use tax exemption; Greene County Child Care Association, Inc.** Provides a sales and use tax exemption to an organization exempt from federal income tax under § 501 (c) (3) of the Internal Revenue Code and organized primarily for the purpose of operating a state-licensed day-care center or a preschool that hires only certified public school teachers and that has a regularly prescribed curriculum.

*Patron - Hanger*

**FSB233 Property tax exemption; Rockbridge Area Free Clinic, Inc.** Grants an exemption from real and personal property tax for property located in Rockbridge County and owned by Rockbridge Area Free Clinic, Inc. This bill is incorporated into SB 15.

*Patron - Hanger*

**FSB238 Transient occupancy tax; additional for Arlington County.** Allows Arlington County to impose an additional transient occupancy tax at a rate not to exceed two percent, provided the Arlington County Board of Supervisors approves the construction of the Arlington Conference Center. The revenues collected from the additional tax will be designated and spent for the design, construction and debt payment for the Arlington Conference Center.

*Patron - Ticer*

**FSB263 Sales and use tax exemption; Human Resources, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2003, to a 501 (c) (3) organization organized for the purpose of providing a comprehensive network of medical and psycho-social treatment to adults, on both an inpatient and outpatient basis, or to adolescent patients in a residential setting, within the boundaries of the Fifteenth Planning District established pursuant to § 15.2-4203.

*Patron - Lambert*

**FSB274 Property tax exemption; Appalachian Agency for Senior Citizens, Inc.** Grants an exemption from real and personal property tax, effective January 1, 2002, for property located in Tazewell County and owned by the Appalachian Agency for Senior Citizens, Inc. This bill is incorporated into SB 15.

*Patron - Puckett*

**FSB286 State Lottery Fund.** Permits the State Lottery Board to expend funds to inform the public that net proceeds from the Lottery are used entirely and solely for the purpose of public education and creates the Lottery Proceeds Fund as a special nonreverting fund to which the Comptroller deposits the audited balances of the State Lottery Fund, less a special reserve fund, to be used for public education. The bill also deletes an obsolete provision. This bill is incorporated into SB 50.

*Patron - Hawkins*

**FSB298 Estimated withholding taxes; accelerated payment by employers.** Requires employers to accelerate estimated withholding tax liability payments for the last filing period of the month ending June 30. Such payments must be made on or before June 25 and must be at least 90 percent of the withholding tax liability for the period. A credit will be given on the return due July 31 for the payment made by June 25. Failure to make the payment by June 25 will result in a

penalty equal to 30 percent of the tax that should have been paid.

*Patron - Chichester*

**FSB299 Sales and use tax; returns and payments by dealers.** Requires dealers to accelerate the June sales and use tax payment by making them pay an amount equal to the sales and use tax liability for the month of May as the estimated amount of sales and use tax liability for the month of June. Such payment must be made by the 25th of June. Failure to make such payment subjects the dealer to an additional penalty of 30 percent of the amount that should have been paid. The bill contains an emergency clause.

*Patron - Chichester*

**FSB312 Property tax exemption; Beth Sholom Terrace.** Grants an exemption from local property taxes for real and personal property located in the City of Virginia Beach and owned by Beth Sholom Terrace. This bill is incorporated into SB 15.

*Patron - Stolle*

**FSB313 Sales and use tax exemption; Kids Voting Virginia, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for purposes including but not limited to promoting greater voter participation and educating children regarding the voting process.

*Patron - Stolle*

**FSB314 Sales and use tax exemption; American Environment Foundation.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2004, to a 501 (c) (3) organization organized exclusively for the purpose of promoting and supporting conservation and environmental issues throughout the Commonwealth by encouraging the protection and restoration of waters, wildlife and land; safeguarding the public health by eliminating pollution; nurturing and improving wildlife stocks; promoting the highest standards of sportsmanship and strengthening farmer-sportsmen understanding; and performing other environmental services.

*Patron - Stolle*

**FSB324 Sales and use tax exemption; Council of United Filipino Organizations of Tidewater Virginia, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of fostering, promoting, cherishing and preserving the traditions and cultural heritage of Filipinos in the Commonwealth through means including but not limited to assembly, friendship, education and exchange of ideas.

*Patron - Wagner*

**FSB325 Property tax exemption; UJFT Community Campus, L.L.C.** Grants an exemption from real and personal property tax for property located in the City of Virginia Beach and owned by UJFT Community Campus, L.L.C. This bill is incorporated into SB 15.

*Patron - Wagner*

**FSB339 Virginia Tiered Incentive Program.** Establishes a program for providing corporate income tax credits for creation of jobs in economically distressed localities. The amount of the credit will be based on factors such as median household income and rates of unemployment. The Tax Commissioner shall promulgate regulations that are necessary or desirable to carry out the provisions of the act. This bill is a recommendation of the Rural Virginia Prosperity Commission.

*Patron - Ruff*

**FSB346 Sales and use tax; limited time exemption for school supplies and certain articles of clothing.** Provides a sales and use tax exemption for school supplies and certain clothing and footwear that are purchased during the third weekend in August beginning in 2002 and each year thereafter.

*Patron - Potts*

**FSB347 Property tax exemption; Shenandoah Arts Council.** Grants an exemption from real property tax for real property located at 811-813 South Loudoun Street in the City of Winchester and owned by the Shenandoah Arts Council. This bill is incorporated into SB 15.

*Patron - Potts*

**FSB349 Sales and use tax exemption; Feltner Community Foundation.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2006, to a 501 (c) (3) organization organized for purposes including, but not limited to, operating a museum for the display of local original art, original art depicting local historic events, significant collections of historic interest, and significant collections of interest for public viewing.

*Patron - Potts*

**FSB377 Grants and tax refunds for producing and using clean and efficient energy.** Provides tax refunds and grant awards for using clean and efficient energy including (i) grant awards in the amount of 0.85 cents for each kilowatt of electricity produced by a corporation from certain renewable energy resources; (ii) grants to individuals and corporations equal to 15 percent of the cost incurred in installing photovoltaic property, solar water heating property, or wind-powered electrical generators (grants are limited to \$2,000 for each system of photovoltaic property, \$1,000 for each system of solar water heating property, and \$1,000 for each system of wind-powered electrical generators); (iii) a refund of sales and use tax paid on certain appliances meeting energy star efficiency requirements developed by the federal government and for heat pumps, air conditioners, and natural gas water heaters meeting specified performance measures; and (iv) a refund of one-half of the sales and use tax paid on motor vehicles using clean fuel sources as a source of propulsion. Refunds of sales and use taxes on appliances, heat pumps, air conditioners, natural gas water heaters, and motor vehicles using clean fuel sources as a source of propulsion are limited to a maximum of \$500 in tax paid per item. In addition, no person shall receive more than \$5,000 in refunds in any calendar year for each of the appliances, heat pumps, air conditioners, natural gas water heaters, and motor vehicles covered under the bill. The tax refunds and grants programs sunset in 2007.

*Patron - Whipple*

**FSB380 Individual income tax; distribution of a portion of individual income tax revenues to localities; Localities' Share of Individual Income Tax Revenue Fund.** Establishes the Localities' Share of Individual Income Tax Revenue Fund into which two percent of individual income tax revenues shall be deposited in 2003 for distribution to localities. The percentage increases two percent each year until it reaches a maximum of 10 percent in 2007. The amount in the fund is to be distributed annually to counties and cities as follows: (i) 50 percent distributed based on the relative share of the total state income tax paid by taxpayers filing returns in each locality; (ii) 40 percent distributed based on where wages are earned; and (iii) 10 percent divided equally among all 135 counties and cities. The amount distributed to counties is then to be shared with towns located within the counties based on the towns' relative share of total population within the county. Fifty percent of the amount distributed to any county with

towns would be divided among the county and its towns based on population. If a county has no towns within its boundaries, the county keeps the entire distribution of individual income tax revenue. Distributions are to be made by the State Treasurer to localities no later than September 1, with the first one beginning in 2003. Any corrections in the amount of distributions will be made in the fiscal year immediately following the year in which the incorrect distribution was made.

*Patron - Whipple*

**FSB385 Local cigarette tax; authority to impose extended to all localities.** Provides counties the same authority to levy the local cigarette tax that cities and towns currently enjoy. Repeals the section that allows only Fairfax and Arlington Counties to impose the tax.

*Patron - Whipple*

**FSB386 Sales and use tax exemption; Zoroastrian Association of Metropolitan Washington.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) organization organized for purposes including but not limited to (i) conducting religious, cultural, educational, and social activities, (ii) providing greater opportunities to learn, understand and assimilate the teachings and precepts of Prophet Zarathushtra, and (iii) helping Zoroastrians to acquire a broader sense of identity based on their religious and cultural background.

*Patron - Whipple*

**FSB387 Sales and use tax exemption; Workforce Organizations for Regional Collaboration, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for purposes including but not limited to the coordination and facilitation of workforce development and placement activities, in an area including but not limited to some or all of the localities composing Planning District No. 8, that serve unemployed and underemployed individuals.

*Patron - Whipple*

**FSB388 Sales and use tax exemption; Culpepper Gardens I, II, and III, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2004, to a 501 (c) (3) corporation organized for purposes including but not limited to receiving federal grant assistance under the Department of Housing and Urban Development Section 8 programs.

*Patron - Whipple*

**FSB399 Income tax; refund of surplus revenues.** Requires the refund of surplus revenues when they exceed the amount required to be deposited in the Revenue Stabilization Fund by at least \$50 million. The Department of Taxation shall make refunds based on each taxpayer's pro rata share of excess revenues collected in the calendar year in which the fiscal year surplus is determined. The taxpayer must have filed an income tax return for such calendar year.

*Patron - Martin*

**FSB407 Income tax; personal exemption amount.** Increases, beginning with the January 1, 2002, taxable year, the personal exemption for Virginia taxable income purposes from \$800 to \$1,200 for each personal exemption allowable to the taxpayer for federal income tax purposes. For taxable years beginning on or after January 1, 2003, the \$1,200 personal exemption will increase based upon annual increases in the Consumer Price Index.

*Patron - Rerras*

**FSB411 Property tax exemption; Fraternal Order of Police.** Grants an exemption from local property taxes for property located at 5552 Raby Road and 1111 Harmony Road in the City of Norfolk and owned by the Fraternal Order of Police (Commodore Lodge No. 3). This bill is incorporated into SB 15.

*Patron - Rerras*

**FSB412 Sales and use tax exemption; American Friends of Women for Israel's Tomorrow, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for purposes including but not limited to (i) the support and enhancement of the image of the State of Israel as a strong, secure, democratic, benevolent and humane nation and (ii) the promotion and support of Jewish education at all levels.

*Patron - Rerras*

**FSB440 Property tax exemption; Gloria Dei Ministries, Inc.** Grants an exemption from real property tax for real property in the City of Hampton, located at 1310 Todds Lane and occupied by Sunrise House. The real property is owned by Gloria Dei Ministries, Inc.

*Patron - Williams*

**FSB458 Motor fuels tax; below-cost sales; penalty.** Prohibits a person who sells motor fuel at a retail outlet in Virginia from selling such fuel below cost unless the sale is (i) made in good faith to meet competition; (ii) an isolated and inadvertent sale; (iii) a bona fide clearance sale for the purpose of discontinuing trade in such motor fuel; (iv) a final business liquidation sale; (v) of the refiner's motor fuel by a fiduciary or other officer under the order or direction of any court; or (vi) made during a grand opening to introduce a new or remodeled business. Any person found by the Commissioner of the Department of Motor Vehicles to be in violation shall be subject to a civil penalty of \$5,000 for the first offense and \$10,000 for each violation thereafter.

*Patron - Hawkins*

**FSB463 Income tax; long-term care facility volunteers' tax credit.** Provides a tax credit of one dollar for each hour that a taxpayer volunteers in a long-term care facility in Virginia. The maximum amount allowed annually is \$100 or the amount of tax owed by the taxpayer, whichever is less. Any excess amount may be carried over for the next five taxable years. The taxpayer must include with his tax return a letter or written statement from the administrator, director or owner of the facility indicating the total hours served.

*Patron - Puller*

**FSB472 Sales and use tax exemption Chippokes Plantation State Park, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of providing funds and assistance to the Chippokes Plantation State Park in operating, maintaining and preserving its historical and natural resources for recreational and educational purposes.

*Patron - Quayle*

**FSB476 Property tax exemption; Friends of Chevre Thelmin, Inc.** Grants a property tax exemption to Friends of Chevre Thelmin, Inc. for real property owned by the organization and located at 607 Effingham Street in the City of Portsmouth.

*Patron - Quayle*

**FSB480 Sales and use tax exemption; Zion Place, Incorporated and Shenandoah Valley Lutheran Housing,**

**Incorporated.** Provides a sales and use tax exemption to a § 501 (c) (3) nonprofit corporation organized to provide elderly persons and handicapped persons generally in the Shenandoah Valley or in the Norfolk peninsula with housing facilities and services specially designed to meet their physical, social and psychological needs, and to promote the health, security, happiness and usefulness in the longer lives of such persons.

*Patron - Edwards*

**FSB481 Entitlement to certain sales tax revenues; City of Roanoke's new stadium/amphitheater.** Adds amphitheater and stadium to "public facility" as defined as relating to entitlement to certain sales tax revenues by qualifying municipalities. This change in definition will entitle the City of Roanoke to the sales tax revenues generated by the city's new stadium/amphitheater.

*Patron - Edwards*

**FSB486 Sales and use tax; newspapers.** Provides that counties and cities may impose sales and use taxes at the rate of one percent on newspapers, upon petition of such taxes by a publisher of a newspaper with sales to residents of such county or city, but shall not apply to newsstand sales. The tax may be imposed by adoption of a local ordinance. The tax shall apply to all newspapers serving the county or city.

*Patron - Newman*

**FSB506 Sales and use tax; limited exemption for tangible personal property.** Exempts tangible personal property from the state sales and use tax for a nine-day period each August, provided the article costs \$1,000 or less. The sales tax holiday will begin in calendar year 2002. Sales of tangible personal property at theme parks shall not be exempt.

*Patron - Newman*

**FSB529 Temporary sales and use tax exemption for certain clothing and footwear.** Establishes a state sales and use tax exemption for a period beginning August 9, 2002, and ending August 16, 2002, for certain clothing and footwear costing less than \$100 per article. The bill also requires the Department of Taxation to (i) promulgate regulations that implement the temporary exemption program by July 15, 2002, and (ii) assess the fiscal impact and present their findings to the Senate and House Finance Committees and the House Appropriations Committee, no later than December 1, 2002.

*Patron - Mims*

**FSB531 Sales and use taxes; refunds.** Provides refunds of sales and use taxes to an industrial development authority that has reimbursed its contractors for such taxes imposed on tangible personal property for use in the Advanced Shipbuilding and Carrier Integration Center. The industrial development authority may apply for the refund beginning on or after July 1, 2002. An application for refund shall be made within three years from the date of reimbursement.

*Patron - Norment*

**FSB547 Administration of taxes; reciprocal agreement with the State of Maryland.** Instructs the Governor to make every effort to enter into a reciprocal agreement for the collection of taxes on behalf of the Commonwealth with the appropriate authorities from the State of Maryland, no later than July 1, 2004. The Governor will report on his progress to the chairmen of the House and Senate Committees on Finance by the first day of the 2003 and 2004 Sessions.

*Patron - Mims*

**FSB561 Sales and use tax exemption; Scottsville Council for the Arts.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2006, to a 501 (c)

(3) organization located within the boundaries of the Tenth Planning District established pursuant to § 15.2-4203, and organized for the purpose of (i) forming a united, independent, nonpartisan organization for the validation and promotion of performing and visual arts activities in the community, (ii) offering an opportunity to participate in learning, attending, enjoying and participating in the arts, and (iii) assisting all civic organizations, churches, schools, and outreach programs who need knowledge and assistance in the performing and visual arts.

*Patron - Deeds*

**FSB564 Sales and use tax exemption; Phi Beta Kappa Society.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2007, to a 501 (c) (3) organization organized for the purpose of being an advocate for the liberal arts and sciences at the undergraduate level. This bill is incorporated into SB 20.

*Patron - Norment*

**FSB574 Cigarette tax; Master Settlement Agreement enforcement.** Provides that a cigarette dealer shall not affix tax stamps to a package of cigarettes if the manufacturer has not complied with the provisions of § 3.1-336.1 or § 3.1-336.2, as they relate to implementation of the Master Settlement Agreement. A dealer who affixes stamps to a package of cigarettes in reliance on a certification by the manufacturer that it has placed moneys in an escrow fund as required by § 3.1-336.2, which certification is subsequently found by the Attorney General to be false, has lawfully affixed such stamps and shall not be subject to any penalty. The bill also provides that no person may sell or distribute in the Commonwealth, acquire, hold, own, possess, or transport for sale or distribution in the Commonwealth, or import, or cause to be imported, into the Commonwealth for sale or distribution in the Commonwealth, any cigarettes for which the manufacturer has not complied with the provisions of § 3.1-336.1 or § 3.1-336.2. The bill contains an emergency clause.

*Patron - Ruff*

**FSB578 Sales and use tax exemption; Black Data Processing Associates of Richmond, Virginia.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2007, to a 501 (c) (6) organization organized for the purpose of (i) developing a pool of data processing professionals who will share their knowledge and business expertise with members of the organization and other members of the community who are evaluating information technology for ongoing endeavors, (ii) sponsoring high school computer competitions, community computer training camps, and free data processing workshops and classes, and (iii) providing college scholarships to computer competition team members.

*Patron - Marsh*

**FSB579 Sales and use tax exemption; Faithful Interventions.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of providing case management services, pastoral counseling, housing and referral services for individuals infected with and families affected by Acquired Immuno-Deficiency Syndrome (AIDS) and other sexually transmitted diseases, individuals with chemical dependencies and pregnant teens.

*Patron - Marsh*

**FSB632 Income tax; different tax rate on income derived from sale of certain real estate.** Provides for the imposition of a two and three-tenths percent tax rate on the taxable proceeds of a sale of an apartment building or complex to its tenant organization or to a nonprofit organization, effective

for taxable years beginning on and after January 1, 2003, but before January 1, 2006, provided the owners of the apartment building or complex have maintained at least 20 percent of the units for low- and moderate-income taxpayers. Low- and moderate-income tenants are tenants whose annual income is no higher than 40 percent of the median regional income.

*Patron - Whipple*

**FSB666 Funding state, local or regional needs.** Provides that the General Assembly shall take such measures, including revenue-producing measures, as necessary to fund or finance a state, local or regional need.

*Patron - Williams*

**FSB667 Sales and use tax; additional tax in Northern Virginia and Hampton Roads regions to fund transportation projects.** Increases the state sales and use tax by one percent in all cities and counties within the Northern Virginia Transportation District and the Hampton Roads Transportation District. The revenues from such increase shall be used to fund transportation projects in such regions. The bill repeals the right of certain localities to impose a local income tax. The bill has a delayed effective date of July 1, 2003, and those portions of the bill related to Northern Virginia are contingent upon approval by a majority of persons of all the cities and counties in the Northern Virginia Transportation District voting in a joint referendum on November 5, 2002; those portions of the bill related to Hampton Roads are contingent upon approval by a majority of persons voting in such a referendum in the Hampton Roads Transportation District.

*Patron - Williams*

**FSB692 Local income tax.** Authorizes counties and cities in the Eighth Planning District (described by reference to attainment of federal ozone standards) to impose a local income tax of one-half of one percent, subject to voter referendum. Individuals and corporations would be subject to the tax. An amount equal to seven and one-half percent of the revenues collected from the tax would be deposited into a Disparity Educational Fund for distribution to counties and cities of the Commonwealth for nonrecurring public school expenditures. Only counties and cities with a composite index under .32 would receive a distribution from the Fund. Fifty percent of the revenues collected from the tax would be used for transportation purposes. Forty-two and one-half percent of the revenues collected from the tax would be used for nonrecurring public school expenditures in the county or city imposing the tax.

*Patron - Saslaw*

## Carried Over

**CHB31 Reduced sales and use tax for certain clothing, footwear, and computers.** Establishes a state sales and use tax exemption during the period from August 17 through August 23, 2002, and every August 17 through August 23 thereafter, for "clothing and footwear" costing less than \$200 per article; "computer systems" costing less than \$1,250; and "computers," "computer hardware," and "computer software" costing less than \$500. The bill also requires the Department of Taxation to promulgate regulations that implement the temporary exemption program by August 1, 2002.

*Patron - Purkey*

**CHB56 Virginia Technology and Biotechnology Research and Development Act created.** Creates the Virginia Technology and Biotechnology Research and Development Act. This bill creates a tax credit for qualified research expenses, which is defined by § 41 of the Internal Revenue Code as in-house expenses or contract research expenses, paid

by a technology or biotechnology company. This credit is for an amount equal to 50 percent of the qualified research expenses paid in excess of the base amount, calculated in accordance with § 41 of the Internal Revenue Code. Also created is a credit for basic research payments, which, in accordance with § 41 of the Internal Revenue Code and modified to benefit the Commonwealth, means payments made to companies and nonprofit research institutions and organizations located in the Commonwealth for research in technology and biotechnology. Neither credit is to exceed 50 percent of the tax liability due nor exceed \$500,000. Any unusable tax credit may be carried over for 10 succeeding taxable years. Each tax credit is capped at \$5 million per taxable year. However, if the cap is not reached in a given taxable year, any amount left over shall be utilized in the succeeding taxable year, in addition to that year's caps of \$5 million. The bill also creates the "Corporation Tax Benefit Certificate Program" to be administered by the Department of Taxation in cooperation with the Innovative Technology Authority. Under the program, technology or biotechnology companies may transfer their unused but otherwise allowable qualified research expenses tax credits for a minimum of 75 cents for every dollar to another corporation taxpayer provided neither is an affiliate or a subsidiary of the other. The proceeds from the transfer can be used for a broad range of "costs" associated with operating a technology or biotechnology company. These tax credits and the Corporation Tax Benefit Certificate Program are for taxable years beginning on or after January 1, 2003.

*Patron - Purkey*

**CHB94 Income tax; major business facility job tax credit.** Repeals the sunset clause for the major business facility job tax credit and lowers the threshold amount of jobs that must be created from 50 to 25 in distressed areas and from 100 to 50 in other areas.

*Patron - Dudley*

**CHB156 Income tax; refund of surplus revenues.** Requires the refund of surplus revenues when they exceed the amount required to be deposited in the Revenue Stabilization Fund by at least \$50 million. The Department of Taxation shall make refunds based on each taxpayer's pro rata share of excess revenues collected in the calendar year in which the fiscal year surplus is determined. The taxpayer must have filed an income tax return for such calendar year.

*Patron - Lingamfelter*

**CHB157 Income tax; credit for purchase of teacher's instructional materials.** Provides a credit against the individual income tax to teachers in the Commonwealth in grades K through 12, both public and private, who purchase instructional materials and supplies for use in their classrooms. The credit is limited to the lesser of \$200 or the tax liability of the individual during the year of the purchase, and any excess may be carried over for five years. The effective date for the credit is January 1, 2003. The legislation will be delayed if any of the events that would delay the car tax relief occurs in calendar year 2002. If such a delay occurs, the law shall become effective January 1 of the first year thereafter in which none of the delaying events occur.

*Patron - Lingamfelter*

**CHB195 Sales and use tax exemption; The Samaritan Group, Inc.** Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1, 2002, through July 1, 2004, which is organized to provide needy individuals with financial assistance for rent and mortgage payments, utilities payments, medical bills, and some home repair.



The previous exemption for such an organization had expired July 1, 2001.

*Patron - Morgan*

**CHB209 Car tax relief; vehicles held in trust.** Permits nonbusiness vehicles held through an inter vivos trust to be eligible for car tax relief.

*Patron - Cole*

**CHB214 Income tax; standard deduction for married taxpayers.** Increases the standard deduction for married taxpayers calculating their Virginia taxable income from \$5,000 to \$6,000 beginning January 1, 2003, thereby eliminating any "marriage penalty." The standard deduction for single taxpayers is \$3,000.

*Patron - O'Bannon*

**CHB219 Income tax; major business facility job tax credit; reduction in job creation requirement.** Changes the number of jobs from 100 to 50 that a company must create in order to be eligible for the major business facility job tax credit.

*Patron - Carrico*

**CHB279 Sales and use tax exemption; Culpeper Cavalry Museum T/A The Museum of Culpeper History.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2006, that is organized to collect, preserve, and exhibit significant artifacts and memorabilia reflecting the people, places, and events that shaped the character of a region of the Commonwealth.

*Patron - Broman*

**CHB285 Sales and use tax exemption; Association of Free Clinics, Inc. (dba Virginia Association of Free Clinics).** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide networking opportunities and other assistance to free medical clinics that provide medical assistance to needy individuals.

*Patron - O'Bannon*

**CHB313 Sales and use tax exemption; Jamestown-Yorktown Foundation, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2006, that is organized to solicit charitable contributions to the benefit of the Jamestown-Yorktown Foundation, an agency of the Commonwealth of Virginia.

*Patron - Howell*

**CHB320 Sales and use tax exemption; Colonial Italian American Organization Education Fund.** Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1, 2002, through June 30, 2007, that is organized to give cash awards to high school seniors to help them further their education.

*Patron - Rapp*

**CHB323 Sales and use tax exemption; New Dominion Women's Club.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide volunteer hours and financial assistance to individuals and organizations working to improve the quality of life in the community.

*Patron - Callahan*

**CHB325 Sales and use tax exemption; Cave Spring Softball League, Inc.** Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1,

2002, through July 1, 2004, which is organized to promote character development and citizenship training for youth by providing a supervised physical education program through softball teams and leagues.

*Patron - Griffith*

**CHB341 Virginia Land Conservation Foundation; dedication of recordation taxes.** Dedicates to the Virginia Land Conservation Foundation, on a phased-in schedule, the amount by which annual state recordation taxes exceed \$91.4 million. In 2002, 25 percent of such funds are so dedicated; in 2003, 50 percent of such funds are so dedicated; in 2004, 75 percent of such funds are so dedicated; and in 2005 and thereafter, 100 percent of such funds are so dedicated.

*Patron - Albo*

**CHB351 Enterprise zone designation.** Increases the number of zones that may be designated from 60 to 70 and provides that 10 of the areas designated as enterprise zones on or after July 1, 2002, will be located in localities that do not have an enterprise zone as of that date. However, up to three designations for special economic development shall be exempt from this requirement.

*Patron - Rapp*

**CHB352 Sales and use tax exemption; Our Health, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to improve the health of the residents of an area of the Commonwealth through enhancing the service capacity, resources, coordination, and collaboration of community health resources.

*Patron - Sherwood*

**CHB354 Sales and use tax; exemption for construction materials purchased by churches.** Provides an exemption from sales and use tax for construction materials to be incorporated into realty when sold to and used by any church, rather than a contractor, in the construction, maintenance, or repair of its property.

*Patron - Sears*

**CHB356 Sales and use tax exemption; Shenandoah Valley Community Residences, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2007, that is organized exclusively for the purpose of providing education, training and services to retarded citizens of the Commonwealth, provided that such property is used exclusively for the purpose set forth herein and that such organization receives more than 50 percent of its total funding from federal, state, or local governments. The exemption for such an organization expired July 1, 2001.

*Patron - Sherwood*

**CHB371 Local E-911 tax; allowable exemption.** Allows the local governing body to exempt subscribers 65 years of age and older from the local E-911 tax.

*Patron - Cole*

**CHB373 Cultural sales and use tax exemptions; Native American Heritage Association.** Renews a sales and use tax exemption that expired July 1, 2001, for a tax-exempt nonprofit corporation organized to (i) care for the spiritual needs of American Indians, (ii) communicate to the non-Indian the values, customs, philosophy and special needs of the American Indian, (iii) meet the urgent needs of American Indians through nationwide charitable distribution programs, and (iv) encourage awareness of American Indian arts, crafts and customs provided such property is distributed by the organization



through its nationwide charitable distribution program. The exemption begins July 1, 2002, and ends July 1, 2006.

*Patron - Athey*

**CHB380 Civic and community service sales and use tax exemptions; Good News Network.** Grants a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2005, for purchases made by a tax-exempt nonprofit corporation organized as a ministry of encouragement that provides humanitarian aid in support of ministries and other nonprofit organizations.

*Patron - Van Yahres*

**CHB394 Sales and use tax exemption; Woodbridge Crew, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to develop leadership, character, athleticism, scholarship, and team play in high school boys and girls through scholastic rowing.

*Patron - Lingamfelter*

**CHB410 Sales and use tax exemption; Harrisonburg-Rockingham Child Day Care Centers, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide full-day child-care services and learning opportunities for children ages two to eight in a secure and nurturing environment.

*Patron - Weatherholtz*

**CHB411 Sales and use tax exemption; Gemeinschaft Home.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide a disciplined, spiritual environment through a nonprofit halfway house for nonviolent offenders being discharged or diverted from prisons. The exemption for such an organization expired on July 1, 2001.

*Patron - Weatherholtz*

**CHB412 Miscellaneous sales and use tax exemptions; Shenandoah Valley Teen Challenge, Inc.** Grants a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2006, for purchase made by a tax-exempt nonprofit corporation organized to (i) evangelize people with drug and alcohol addictions and other life-controlling problems, (ii) initiate the discipleship process to assist others so they can function in society, (iii) apply spiritually motivated principles to relationships in the family, places of worship, vocation, and community, and (iv) help individuals become mentally sound, emotionally balanced, socially adjusted, physically well, and spiritually alive.

*Patron - Weatherholtz*

**CHB413 Sales and use tax exemption; Brown Memorial Child Care Program.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide working parents in the community a safe, supervised, licensed, and quality after-school care option.

*Patron - Weatherholtz*

**CHB418 Aircraft sales and use tax; options for certain air charter service operators.** Allows any owner or operator of an aircraft that leases and uses such aircraft for charter service to (i) pay the sales and use tax at a rate of two percent on the sales price of the aircraft, or (ii) collect the tax at a rate of two percent on the gross receipts generated by the use of the aircraft through the charter service. Any aircraft subject to the tax subject to the gross receipts generated by its use in charter

service that ceases to be used for charter service shall be immediately subject to the tax on the sales price of the aircraft.

*Patron - Parrish*

**CHB428 Sales and use tax exemption; Chesterbrook Academy at Sterling Parent Teacher Organization.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2007, to a 501 (c) (3) organization organized for purposes including but not limited to (i) supporting elementary school programs, (ii) promoting the welfare of children and youth in the home, school and community and (iii) promoting understanding between parents, schools and students through an exchange of ideas and topics of mutual interest.

*Patron - Black*

**CHB446 Income tax; Broadband Internet Access Tax Credit.** Provides an individual and corporate income tax credit to taxpayers in order to accelerate deployment of (i) current generation broadband access to the Internet for users located in certain low-income and rural areas and (ii) next generation broadband access for all users. The tax credit for any taxable year equals the sum of (a) the current generation broadband credit, plus (b) the next generation broadband credit. The current generation broadband credit for any taxable year equals 10 percent of the qualified expenditures incurred with respect to qualified equipment offering current generation broadband services to rural subscribers or underserved subscribers. The next generation broadband credit for any taxable year shall equal 20 percent of the qualified expenditures incurred with respect to qualified equipment offering next generation broadband services to all rural subscribers, all underserved subscribers, or any other residential subscribers. The credit in the aggregate for any taxable year will not exceed \$750,000. If the amount of credits applied for exceed that limit, the Tax Department will allocate the credits on a pro rata basis. The credit applies to taxable years beginning on or after January 1, 2003, but before January 1, 2006.

*Patron - Hull*

**CHB451 Sales and use tax; optional local tax for education.** Authorizes counties and cities to levy an additional local sales and use tax at a rate of one-half of one percent with the revenues generated from such tax reserved solely for public education purposes. The tax shall be adopted by local ordinance only after prior approval by the voters at a local referendum. The ordinance shall become effective on the first day of a month at least 60 days after its adoption, but in no event, prior to April 1, 2003.

*Patron - Dillard*

**CHB468 Sales and use tax exemption; Youth Services Corporation.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to design, develop, and administer programs for youth and families, and to provide consultant services and programs in the areas of counseling, education, and employment and training.

*Patron - Suit*

**CHB484 Tax exemptions for certain rehabilitated, renovated or replacement structures.** Changes the exemption amount for such structures from an amount equal to the increase in assessed value resulting from the rehabilitation, renovation or replacement of a commercial or industrial structure to 50 percent of the total assessed value of the rehabilitated, renovated or replaced structure.

*Patron - Suit*

**CHB504 Medical-related sales and use tax exemptions; Norfolk City Union of the King's Daughters, Inc.**

Grants a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2003, to a tax-exempt nonprofit corporation organized to promote optimum pediatric care at and support through fund-raising activities for hospitals dedicated to the care of children.

*Patron - Drake*

**CHB523 Sales and use tax exemption; Tysons-Briar T/A Cardinal Hill Swim & Racquet Club, Vienna Aquatic Club, and Hunter Mill Swim and Racquet Club.** Provides a sales and use tax exemption from July 1, 2002, through June 30, 2006, for: (i) a federally tax-exempt organization that is organized to provide swimming, diving, tennis and other general recreational and team sports for the common good; (ii) a federally tax-exempt organization that is organized to provide playground and swimming facilities to individuals and families; and (iii) a federally tax-exempt organization that is organized to provide swimming, tennis, and other recreational facilities for members, their families, and guests.

*Patron - Devolites*

**CHB524 Sales and use tax exemption; The Catholic Charities of the Diocese of Arlington, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to conduct, coordinate, develop, and promulgate programs and activities concerned with the personal, economic, and social welfare needs of families, children, and individuals within an area of the Commonwealth.

*Patron - Devolites*

**CHB548 Sales and use tax exemption; Greater Richmond Youth Hockey Association.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide a fun, safe, and competitive travel ice hockey program for youth in an area of the Commonwealth.

*Patron - Hargrove*

**CHB561 Sales and use tax exemption; Young Women's Christian Association of South Hampton Roads.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to develop the spiritual, mental, social, and physical condition of young women.

*Patron - Jones, S.C.*

**CHB562 Sales and use tax exemption; Hampton Roads Youth Center, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide residential, counseling, and educational services to underprivileged youth and their families.

*Patron - Jones, S.C.*

**CHB567 Sales and use tax; exemption for flags.** Exempts from sales and use tax the official flags of the United States, the Commonwealth, and of any county, city, or town. Under current law such flags are exempt only when they are sold by a government agency.

*Patron - Byron*

**CHB573 Sales and use tax exemption; Friends of the Shenandoah River, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is established to organize and maintain a citizens' volunteer program for monitoring the water quality and instream flow of one or more rivers in the Commonwealth and their tributaries.

*Patron - May*

**CHB575 Individual income tax; distribution of a portion of individual income tax revenues to localities; Localities' Share of Individual Income Tax Revenue Fund.** Establishes the Localities' Share of Individual Income Tax Revenue Fund into which two percent of individual income tax revenues shall be deposited in 2003 for distribution to localities. The percentage increases two percent each year until it reaches a maximum of 10 percent in 2007. The amount in the fund is to be distributed annually to counties and cities as follows: (i) 50 percent distributed based on the relative share of the total state income tax paid by taxpayers filing returns in each locality; (ii) 40 percent distributed based on where wages are earned; and (iii) 10 percent divided equally among all 135 counties and cities. The amount distributed to counties is then to be shared with towns located within the counties based on the towns' relative share of total population within the county. Fifty percent of the amount distributed to any county with towns would be divided among the county and its towns based on population. If a county has no towns within its boundaries, the county keeps the entire distribution of individual income tax revenue. Distributions are to be made by the State Treasurer to localities no later than September 1, with the first one beginning in 2003. Any corrections in the amount of distributions will be made in the fiscal year immediately following the year in which the incorrect distribution was made.

*Patron - May*

**CHB577 Sales and use tax exemption; Loudoun Symphony Association, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2006, that is organized to provide musical concerts to the public and to support the training of student musicians.

*Patron - May*

**CHB586 Sales and use tax exemption; Hopewell Food Pantry, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2004, that is organized to provide emergency food and supplies for a limited period of time to needy recipients in the Commonwealth. The exemption for such an organization expired on July 1, 2001.

*Patron - Ingram*

**CHB607 Sales and use tax exemption; Kid's Co-Op Educational Cooperative.** Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1, 2002, through June 30, 2007, which is organized to assist parents in the academic and social development of home schooled students.

*Patron - Saxman*

**CHB609 Sales and use tax exemption; Historic Staunton Foundation, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to assist with the preservation and restoration of historical architecture in the Commonwealth.

*Patron - Saxman*

**CHB651 Sales and use tax exemption; Chesapeake Bay Division of the International Association for Identification, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to assist persons who are actively engaged in the profession of forensic identification, investigation, and scientific examination of physical evidence to become an organized body, so that the profession, in all of its

branches, may be standardized and effectively and scientifically practiced.

*Patron - Dudley*

**CHB681 Sales and use tax exemption; Southside Training, Employment and Placement Services, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for the purpose of providing job training and employment opportunities to individuals with disabilities, welfare recipients and others with barriers to employment.

*Patron - Wright*

**CHB683 Educational sales and use tax exemption; Canterbury Community Nursery School, Inc.** Renews a sales and use tax exemption that expired July 1, 2001, for purchases made by a tax-exempt nonprofit corporation that is organized for the purpose of operating a state-licensed day-care center or a preschool that hires only certified public school teachers or teachers who are college graduates holding a degree from an accredited four-year institution of higher education and certified by an organization recognized by the U.S. Department of Education or by some other nationally recognized organization, and which has a regularly prescribed curriculum. The exemption begins July 1, 2002, and ends July 1, 2007.

*Patron - Reid*

**CHB684 Major business facility job tax credit; reduction in threshold amount.** Reduces the threshold amount of qualified full-time jobs under § 58.1-439. To qualify for the major business facility job tax credit under § 58.1-439, the newly established or expanding company generally must create at least 100 new full-time jobs. For taxable years beginning on and after January 1, 2002, the bill would reduce this threshold amount to 50; if the company is located in an economically distressed area or in an enterprise zone, the bill would further reduce the threshold amount to 25; and if the company is engaged in providing information technology services that locate within an urban area that the local governing body has designated by ordinance as an area needing revitalization, the threshold amount is reduced to 20.

*Patron - Amundson*

**CHB685 Major business facility job tax credit; reduction in threshold amount.** Reduces the threshold amount of qualified full-time jobs under § 58.1-439. To qualify for the major business facility job tax credit under § 58.1-439, the newly established or expanding company generally must create at least 100 new full-time jobs. For taxable years beginning on and after January 1, 2002, the bill would reduce this threshold amount to 50; if the company is located in an economically distressed area or in an enterprise zone, the bill would further reduce the threshold amount to 25; and if the company is engaged in providing information technology services, the bill would reduce the threshold amount to 20.

*Patron - Amundson*

**CHB689 Medical sales and use tax exemptions; United Cerebral Palsy of Southern and Central Virginia, Inc.** Grants a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2003, for purchases of tangible personal property made by a tax-exempt nonprofit corporation that is organized to affect positively the quality of life for persons with cerebral palsy and also others with severe disabilities and multiple service needs and the families of both, and (ii) prevent cerebral palsy and minimize its effects.

*Patron - Tata*

**CHB694 Estate tax.** Conforms the amount of Virginia estate tax due from an estate to the maximum amount of the federal estate tax credit for state estate taxes, as permitted under federal estate tax law, as such law shall be amended from time to time. Under current law the amount of Virginia estate tax cannot be less than the federal credit under federal law as such law existed on January 1, 1978.

*Patron - Tata*

**CHB699 Local tax on motor vehicles; supplanting lost local revenues.** Repeals the local property tax on motor vehicles used for nonbusiness purposes and replaces the local revenue stream with a fifteen percent distribution of the state individual income taxes or the amount of local revenues derived from the taxation of motor vehicles in 2004, whichever is greater. All is contingent upon the adoption of a constitutional amendment that exempts motor vehicles used for non-business purposes from the personal property tax to be effective by January 1, 2005.

*Patron - Byron*

**CHB718 Property tax exemption by classification; YoungLife.** Classifies YoungLife and its subsidiaries as religious and benevolent organizations, which exempts them from property tax statewide.

*Patron - Howell*

**CHB740 Individual income tax; Virginia taxable income; military retirement income subtraction.** Allows a subtraction in the amount of two percent multiplied by the number of years of active duty in the armed forces with the product multiplied by the first \$30,000 of military retirement income when calculating Virginia taxable income for taxable years beginning on and after January 1, 2003.

*Patron - Barlow*

**CHB770 Local piggyback income tax.** Allows localities to impose a local income tax at a rate of either one-half or one percent upon the Virginia taxable income of individuals, trusts, estates and corporations. The Tax Commissioner collects the tax and returns it to localities based on taxpayers' residences. The provisions of the act will take effect January 1, 2005, if a constitutional amendment eliminating the property tax on motor vehicles is approved in a referendum to be held during the general election in November 2004.

*Patron - Watts*

**CHB778 Sales and use tax exemption; Virginia Center for the Creative Arts.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2006, that is organized to provide a supportive environment for superior visual artists, writers, and composers of all cultural and economic backgrounds to pursue their creative work without distraction, and to present art exhibits, readings and concerts to the public.

*Patron - McDougle*

**CHB779 Sales and use tax exemption; Chickahominy Indian Tribe, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized exclusively for the purpose of promoting the welfare of the Chickahominy Indian Tribe through educational, economic, social and cultural advancement.

*Patron - McDougle*

**CHB801 Sales and use tax exemption; the Harris Group.** Grants a sales and use tax exemption for purchases made by a nonprofit corporation organized to educate, perform research and provide community outreach through visual and

print media in order to impart information to all persons about agencies, programs and other resources available to disabled persons to improve the quality of their lives and secure their civil rights.

*Patron - Bolvin*

**CHB802 Sales and use tax exemption; DOT Child Development Center, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide a child-care program that fosters the total social, emotional, intellectual, and physical development of children while providing a safe environment and quality care.

*Patron - Bolvin*

**CHB804 Sales and use tax exemption; Alumni & Friends of Yorktown High School, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to develop alumni support for a public high school, its alumni, faculty, and current students through reunions, scholarships, career development, and other special activities.

*Patron - Almand*

**CHB810 Sales and use tax exemption; Tuskegee Airmen, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to join together those Americans who dedicated or are dedicating themselves to the defense of the United States through aviation, including civilian as well as military personnel who pioneered the aviation development at Tuskegee, Alabama, and other locations, and to assist minority youth toward military aviation and aerospace careers.

*Patron - Almand*

**CHB834 Sales and use tax exemption; The Conservation Council of Virginia/dba Virginia Conservation Network.** Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1, 2002, through July 1, 2004, that is organized for the purposes of (i) advancing a common, environmentally sound vision for Virginia; (ii) coordinating a network among member organizations; (iii) providing information to its member organizations and to Virginia citizens on environmental and conservation issues; (iv) conducting and promoting research and study of environmental problems and promulgating the results thereof; and (v) promoting and supporting sound environmental protection policies. The previous exemption for such an organization expired July 1, 2001.

*Patron - Thomas*

**CHB841 Sales and use tax exemption; Roanoke Symphony Society.** Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1, 2002, through July 1, 2006, that is organized to afford citizens opportunities for musical entertainment and enjoyment and to offer assistance and encouragement to deserving young persons in the study of music.

*Patron - Thomas*

**CHB863 Local severance tax; gross receipts.** Disallows any deduction for depreciation, marketing fees, overhead, maintenance, transportation fees, and personal property taxes in calculating fair market value for gross receipts subject to the local severance tax.

*Patron - Phillips*

**CHB898 Sales and use tax exemption; Colonial Beach Historical Society, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July

1, 2002, through June 30, 2006, that is organized to assist in the preservation, perpetuation, publication, or display of manuscripts, books, relics, pictures, and all other things relevant to the history and traditions of an area of the Commonwealth.

*Patron - Pollard*

**CHB908 Cigarette tax; prohibition against stamping, transferring, or selling certain cigarettes.** Requires every tobacco product manufacturer whose cigarettes are sold in the Commonwealth to certify annually such manufacturer is (i) a participating manufacturer, as defined in the Master Settlement Agreement; or (ii) in full compliance with § 3.1-336.2. The certification must be delivered annually to the Tax Commissioner, the Attorney General and wholesale or retail dealers who affix Virginia revenue stamps to cigarettes of such manufacturer. The bill also prohibits every wholesale or retail dealer from affixing, or causing to be affixed, Virginia revenue stamps on the cigarette products of any tobacco product manufacturer if the Tax Commissioner has notified the wholesale or retail dealers that such manufacturer has failed to comply with certain Master Settlement Agreement requirements or the certification required by this section. The Tax Commissioner may impose a civil penalty not to exceed \$5,000 against any tobacco product manufacturer and wholesale or retail dealer who violates this prohibition. The bill has an emergency clause.

*Patron - Dudley*

**CHB926 BPOL tax; rates and fees.** Requires localities that elect to impose a fee on licensable businesses to impose it on all businesses that are subject to the same licensing provisions.

*Patron - Joannou*

**CHB961 Individual income tax; distribution of a portion of individual income tax revenues to localities; Localities' Share of Individual Income Tax Revenue Fund.** Establishes the Localities' Share of Individual Income Tax Revenue Fund into which two percent of individual income tax revenues shall be deposited in 2003 for distribution to localities. The percentage increases two percent each year until it reaches a maximum of 10 percent in 2007. The amount in the fund is to be distributed annually to counties and cities as follows: (i) 50 percent distributed based on the relative share of the total state income tax paid by taxpayers filing returns in each locality; (ii) 40 percent distributed based on where wages are earned; and (iii) 10 percent divided equally among all 135 counties and cities. The amount distributed to counties is then to be shared with towns located within the counties based on the towns' relative share of total population within the county. Fifty percent of the amount distributed to any county with towns would be divided among the county and its towns based on population. If a county has no towns within its boundaries, the county keeps the entire distribution of individual income tax revenue. Distributions are to be made by the State Treasurer to localities no later than September 1, with the first one beginning in 2003. Any corrections in the amount of distributions will be made in the fiscal year immediately following the year in which the incorrect distribution was made.

*Patron - Almand*

**CHB983 Sales and use tax exemption; Eastern Henrico FISH Organization.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to design, develop, and administer programs for youth and families, and to provide short-term emergency service or help to those in need, including, but not limited to, food, clothing, housewares, medicine,

emergency shelter, and financial assistance for housing or utilities.

*Patron - Jones, D.C.*

**CHB984** **Income tax; tax credit for purchase of conservation tillage equipment.** Adds sub-soiler equipment designed with coulter openers in front of all shanks capable of leaving at least 80 percent pre-tillage residues in no-till cropping systems to the type of conservation tillage equipment for which, if purchased, the taxpayer would receive an income tax credit.

*Patron - Pollard*

**CHB988** **Medical-related sales and use tax exemption; Richmond Area Association for Retarded Citizens.** Grants a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2003, for purchases of tangible personal property by a tax-exempt nonprofit organization organized to (i) aid and promote the general welfare of the mentally retarded, (ii) further the advancement of all ameliorative and preventive study, research and therapy in the field of mental retardation, (iii) develop a better understanding among the public of mental retardation by gathering and disseminating pertinent information, (iv) further the training and education of personnel working in the field of mental retardation, and (v) solicit and receive funds for the accomplishment of these purposes.

*Patron - Hall*

**CHB1018** **Local income tax.** Provides that imposition of the local income tax permitted in certain localities after a local referendum may be set forth on the referendum ballot in one-quarter percent increments not to exceed one percent. The local tax shall be used for (i) transportation projects for certain localities that are part of a plan approved in December 1999 by a transportation council consisting of state and local elected officials; and (ii) public education purposes including the construction of, renovation of, technology for and debt service for public schools. However, at least 55 percent of revenues from the local income tax must be expended for transportation purposes. The taxing authority expires on July 1, 2004, if no locality has imposed the tax by that date. The bill repeals current law that restricts any such local income tax to a duration of five years.

*Patron - Scott*

**CHB1019** **Sales and use tax; rate increase.** Increases the state sales and use tax one percent from 3.5 percent to 4.5 percent. The one-percent increase will be distributed to counties and cities with revenues generated by one-half percent distributed based on school age population and one-half percent distributed based on point of sale.

*Patron - Scott*

**CHB1025** **Income tax; state earned income tax credit.** Allows a refundable earned income tax credit against the state income tax for individuals qualifying for the federal earned income tax credit, for taxable years beginning on or after January 1, 2002. The amount of the state credit is 10 percent of the federal credit. The bill also repeals the income tax credit for low-income taxpayers.

*Patron - Moran*

**CHB1033** **Sales and use tax exemption; Stop Child Abuse Now of Northern Virginia (SCAN).** Provides a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2005, to a tax-exempt nonprofit corporation that is dedicated to the well-being of children, the improvement of parent-

child relations, and the prevention of child abuse and neglect through advocacy, public awareness, and education.

*Patron - Moran*

**CHB1073** **Sales and use tax exemption; Empowerment 2010, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to create an environment that enhances the quality of life for individuals, families, and communities within an area of the Commonwealth through comprehensive education, social, and economic opportunities.

*Patron - Jones, J.C.*

**CHB1075** **Sales and use tax exemption; International Black Women's Congress (IBWC).** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to empower women to build and sustain healthy families through rites of passage programs, health initiatives, HIV/AIDS awareness and education, and service delivery to people who are directly impacted by HIV.

*Patron - Jones, J.C.*

**CHB1104** **Nonprofit civic and community service sales and use tax exemption; Spotsylvania Emergency Concerns Association, Inc.** Grants a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a nonprofit tax-exempt corporation organized to provide emergency assistance in the form of food, clothing, household articles, and payments for rent, electricity, water, medicine, and fuel to needy individuals who are ineligible for assistance from the Department of Social Services.

*Patron - Orrock*

**CHB1106** **Sales and use tax exemption; Kidtech, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to make information technology available to a socio-economically and culturally diverse cross-section of the Commonwealth's citizens.

*Patron - Christian*

**CHB1108** **Sales and use tax exemption; Hampton Branch of the National Association for the Advancement of Colored People.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to improve the political, educational, social, and economic status of minority groups; to eliminate racial prejudice; and to keep the public aware of the adverse effects of racial discrimination.

*Patron - Christian*

**CHB1109** **Sales and use tax exemption; Y. H. Thomas Youth Athletic Association.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to provide boys and girls opportunities to participate in a comprehensive youth sports program.

*Patron - Christian*

**CHB1119** **Income tax credits for school tuition organization contributions; the Virginia Children's Educational Opportunity Act 2002.** Establishes an income tax credit for cash donations to a charitable tax-exempt corporation in Virginia that (i) provides financial assistance up to \$3,100 per child for the education of children from low-income and non-low-income households, and (ii) expends all of certain cash contributions as grants to cover qualifying educational expenses of such children. Support for home schooling is limited to \$550 per child. Each child receiving a scholarship must

provide a progress report annually to the school tuition organization and will lose the scholarship if such requirements are not met. The maximum amount of the annual credit begins at \$200 per taxpayer for taxable year 2003 and increase \$100 annually until 2006 and thereafter when it is \$500 or the amount of tax owed by the taxpayer, whichever is less. Such contributions cannot be designated for the direct benefit of a specific child. The tax credit becomes effective for taxable years beginning on or after January 1, 2003. The Department of Taxation is required to promulgate regulations to implement these credits, including providing the format for a standardized receipt to be issued by school tuition organizations and qualifying schools.

*Patron - Lingamfelter*

**CHB1123 Sales and use tax exemption; Crisis Line of Central Virginia, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to support, refer, assist in prevention and provide educational services to individuals seeking community information or help for their own or their family's emotional, physical, and mental well-being.

*Patron - Bryant*

**CHB1124 Sales and use tax exemption; Academy of Music Theatre, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2006, that is organized to preserve, restore, renovate, and operate an academy of music in an historical building to be used to educate people in an area of the Commonwealth in history, architecture, and culture.

*Patron - Bryant*

**CHB1139 Educational sales and use tax exemptions; Spring-Mar Preschool Association, Inc.** Grants a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2007, to a nonprofit corporation organized to provide the best educational program for preschool children and parents by (i) owning, maintaining, and operating a private, nonprofit cooperative school, (ii) offering regular parent education on child-rearing issues, and (iii) conducting public seminars at local libraries on topics of interest to families with preschool-age children.

*Patron - Dillard*

**CHB1150 Educational sales and use tax exemptions; Tensley Study Center, Inc.** Provides a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2007, to a nonprofit corporation that is organized to receive, administer, and expend funds for charitable, religious, educational, scientific and literary purposes in connection with (i) teaching and instructing individuals irrespective of their race, color, creed, or nationality in the arts, sciences, and letters, and (ii) fostering their ethical and character development through group and individual activities such as personal counseling, classes, seminars, sports and other activities.

*Patron - Marshall, R.G.*

**CHB1159 Sales and use tax exemption; International Police Association Region #60, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation located and operating within the boundaries of the First, Second, Third, Fourth, Fifth, Eleventh and Twelfth Planning Districts established pursuant to § 15.2-4203, and organized for the purpose of (i) carrying on and operating a fraternal organization dedicated to uniting in service and friendship all active and retired members of the law-enforcement service within its operating area, (ii) striving

to enhance the image of the police, and (iii) facilitating cooperation through friendly contacts among police officers.

*Patron - Putney*

**CHB1167 Sales and use tax exemption; Woodstock Museum of Shenandoah County, Inc.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2006, that is organized to stimulate interest in the early history of a region of the Commonwealth, and in the manners and customs of the people who lived there, and to collect, preserve, and display visible documentation of their way of life.

*Patron - Louderback*

**CHB1169 Civic and community service sales and use tax exemptions; Deer Rapids Road Fund Trustees, Inc.** Renews a sales and use tax exemption, beginning July 1, 2002, and ending July 1, 2004, for purchases made by a tax-exempt nonprofit corporation organized to maintain 4.9 miles of public roads for safe access by the public to a state river, a national forest and two public lots located in a vacation subdivision. The exemption expired July 1, 2001.

*Patron - Louderback*

**CHB1191 Sales and use tax exemption; Prevent Child Abuse Now of Montgomery County/Radford.** Provides a sales and use tax exemption for a federally tax-exempt organization, from July 1, 2002, through June 30, 2005, that is organized to educate and advocate for the prevention of child abuse and neglect.

*Patron - Shuler*

**CHB1235 Virginia Tiered Incentive Program.** Establishes a program for providing corporate income tax credits for creation of jobs in economically distressed localities. The amount of the credit will be based on factors such as median household income and rates of unemployment. The Tax Commissioner shall promulgate regulations that are necessary or desirable to carry out the provisions of the act. This bill is a recommendation of the Rural Virginia Prosperity Commission.

*Patron - Nutter*

**CHB1238 Imposition and administration of income and property taxes.** Increases the individual income tax rate by one percent at each level (from two percent to three percent, three percent to four percent, five percent to six percent, and five and three-quarters percent to six and three-quarters percent) and the corporate income tax rate from three percent to seven percent, effective January 1, 2003. The bill also limits the rate localities may levy for the personal property tax to \$0.01 per \$100 of assessed value for tax years beginning on and after January 1, 2003. The Tax Commissioner will administer the additional income tax revenues and distribute them to the localities based on the residence of each individual taxpayer and each locality's share of total full-time employees.

*Patron - Parrish*

**CHB1266 Sale price of motor vehicles subject to the motor vehicle sales and use tax; reductions.** Reduces the taxable price of a motor vehicle for purposes of determining motor vehicle sales and use tax liability by the value of any motor vehicle taken in trade and by the amount of all rebates. The amount of credit for a vehicle taken in trade is the lesser of the allowance given by the seller or the wholesale value of the vehicle as specified in a recognized pricing guide.

*Patron - Byron*

**CHB1311 Sales and use tax revenue; distribution.** Provides that tax revenue generated by a one-half percent sales

and use tax on sales in the cities and counties in the Eighth Planning District shall be distributed to each such city and county based upon the city or county in which the sale was made. The revenue must be used solely for transportation projects in the 2020 Plan of the Transportation Coordinating Council of Northern Virginia that are scheduled to be completed by 2010.

*Patron - Lingamfelter*

**CSB64 Sales and use tax exemption; civic, community service and cultural exemptions.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to American Legion, Department of Virginia, a 501 (c) (19) organization organized for purposes including but not limited to (i) upholding and defending the Constitution of the United States of America, (ii) maintaining law and order, (iii) preserving the memory of historically significant wartime events, and (iv) inculcating a sense of individual obligation to the community, Commonwealth and nation. Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to the National White Collar Crime Center, Inc., a 501 (c) (3) corporation organized for the purpose of providing a nationwide support system for the prevention, investigation, and prosecution of economic crime. Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2006, to the Virginia Orchid Society, Inc., a 501 (c) (3) corporation organized for the purpose of (i) bringing together persons interested in orchids, (ii) promoting interest in and dissemination of information about orchid culture, and (iii) encouraging all orchid activities of interest to the enthusiast including the holding of shows.

*Patron - Watkins*

**CSB95 Sales and use tax exemption; Corporation for National Research Initiatives.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2007, to a 501 (c) (3) corporation organized for purposes including but not limited to the fostering and carrying on of research, studies, programs and educational activities relating to measures to stimulate the conduct of scientific research and development in information processing in areas of national importance and the furthering of public interest by fostering research initiatives that will contribute to the leadership and productivity of the United States in these and other fields.

*Patron - Howell*

**CSB110 Tax credits; child day-care facilities.** Increases the percentage of expenditures made by child day-care facilities eligible for the day-care facility investment tax credit from 25 percent of expenditures to 35 percent of expenditures. The bill also increases the aggregate amount of the tax credit allowed to child day-care facilities from \$25,000 to \$30,000 and provides that the Department of Taxation may approve in each fiscal year up to \$150,000 in day-care facility investment tax credits, which is an increase over the present maximum amount of \$100,000. The bill is effective for taxable years beginning on or after January 1, 2002.

*Patron - Miller, Y.B.*

**CSB149 Sales and use tax exemption; Virginia Opera Association, Inc.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2006, to a 501 (c) (3) corporation organized for the purpose of (i) creating high quality productions of a broad range of opera, (ii) providing training of qualified persons in the production and performance of opera, and (iii) promoting appreciation and understanding of opera through performances, education and community outreach throughout the Commonwealth.

*Patron - Norment*

**CSB167 Administration of state taxes.** Requires the Department of Taxation to establish, maintain, and publicize a toll-free telephone number for taxpayers to contact the Department on tax matters including, but not limited to, the taxpayer's account information, tax liability, or tax refund.

*Patron - Byrne*

**CSB169 Sales and use tax; exemption for certain property used by service providers.** States that a service provider is the user and consumer of all tangible personal property purchased for use in providing exempt services, but not of tangible personal property that is (i) purchased for resale to, or for incorporation into personal property sold to, the United States pursuant to a contract that expressly references the provisions of the Walsh-Healey Public Contracts Act, 41 U.S.C. § 35 et seq., and (ii) not actually used or consumed in the performance of services. This exemption from sales and use tax does not apply to contractors performing real property construction, reconstruction, installation, repair, or any other services with respect to real estate or fixtures thereon, for the federal government or any of its instrumentalities.

*Patron - Colgan*

**CSB253 Real estate tax; assessments.** Provides that assessments of personal residences shall not increase if the residence is used exclusively and continuously as the primary personal residence of the owner or the owner's spouse, provided that the assessed value of the real estate shall be increased by the fair market value of any improvement, renovation, or reconstruction made by the owner or the owner's spouse. The bill also provides several different measures and procedures for determining the assessed value of real estate for tax purposes, each of which would provide a different result from fair market value. The bill's provisions are effective January 1, 2005, only if the voters of Virginia have ratified a constitutional amendment providing that the General Assembly may prescribe a measure or process other than fair market value to be used for the assessment of personal residences.

*Patron - Miller, K.G.*

**CSB266 Property tax exemption; Fan Free Clinic.** Grants a property tax exemption to the Fan Free Clinic, a charitable nonprofit corporation, for property located in the City of Richmond.

*Patron - Lambert*

**CSB309 Income tax; voluntary contribution of tax refund to the Art Museum of Western Virginia.** Creates an additional income tax checkoff beginning January 1, 2003, and ending January 1, 2008, for individuals to contribute all or part of their income tax refunds to the Art Museum of Western Virginia. The bill also provides that the Department of Taxation may retain up to 10 percent of the amount of annual contributions of individual income tax refunds, but not to exceed \$75,000 for any taxable year. The amount to be retained is to pay the costs of administering the voluntary contributions program. Such amount shall be deducted on a pro-rata basis from the individual income tax refunds designated as voluntary contributions.

*Patron - Edwards*

**CSB333 Marine Patrols Fund; portion of sales and use tax revenues.** Provides for an amount generated by a two percent sales and use tax and collected from the sale of fishing and auxiliary fishing equipment purchased for saltwater use to be deposited into the Marine Patrols Fund, beginning July 1, 2002. The amount to be deposited is determined by multiplying a ratio, the numerator of which is the number of saltwater fishing days for the immediately preceding year and the



denominator of which is the number of saltwater and freshwater fishing days for the same year, by the total amount of the two percent sales and use tax collected in the Commonwealth on all fishing and auxiliary fishing equipment for that year. The remaining amount is deposited into the Game Protection Fund. Currently, all such revenues are deposited into the Game Protection Fund.

*Patron - Wagner*

**CSB378 Sales and use tax exemption; Restore America's Estuaries.** Provides a sales and use tax exemption beginning July 1, 2002, and ending July 1, 2005, to a 501 (c) (3) corporation organized for purposes including but not limited to preserving the nation's network of estuaries by protecting and restoring the lands and waters essential to their richness and diversity of life by (i) increasing public support for estuary habitat restoration at the national and regional levels, (ii) facilitating implementation of hands-on restoration and preservation activities, and (iii) promoting the advancement of the science and art of restoration.

*Patron - Whipple*

**CSB441 Local taxes; administrative fees to collect delinquent taxes or other delinquent charges.** Increases the fees that may be charged by local governments for administrative costs incurred in collecting delinquent taxes or other delinquent charges. The fees are increased from \$20 to \$30 for delinquent taxes and other charges collected before judgment is taken, and from \$25 to \$35 for such taxes and charges collected subsequent to a judgment.

*Patron - Williams*

**CSB453 Transient occupancy tax; Henry County.** Authorizes Henry County to impose a transient occupancy tax at a rate not to exceed five percent of the charge for lodging at hotels, motels, boarding houses, travel campgrounds, and other facilities offering rooms for rent. The revenues attributable to any portion of the tax greater than two percent shall be spent for promoting tourism, travel or business that generates tourism in Henry County.

*Patron - Reynolds*

**CSB479 Service charge in lieu of real property taxation.** Increases the rate of taxation that the Commonwealth must pay to local governments for fire, police and refuse collection services in lieu of paying real estate taxes by five cents beginning January 1, 2003, and by an additional 10 cents beginning January 1, 2005.

*Patron - Watkins*

**CSB502 Claims; David Brooke Miller, M.D.** Provides relief to David Brooke Miller, M.D. in the amount of \$20,000 for costs incurred in installing a driveway for a single-family dwelling. The Virginia Department of Transportation issued a permit to Dr. Miller to install the driveway but subsequently revoked the permit. Dr. Miller incurred \$20,000 in construction costs before the work stoppage order was issued.

*Patron - Miller; K.G.*

**CSB508 Income tax credit for purchase of machinery and equipment for processing recyclable materials.** Extends the current credit for the purchase of machinery and equipment used in a recycling business to include machinery and equipment that is not physically located in or on the premises of manufacturing facilities. Current law provides an income tax credit for the cost of machinery and equipment that is physically located in manufacturing facilities and that is used to manufacture, process, compound, or produce goods from recyclable materials (the credit may not exceed 40 percent of the corporation's Virginia income tax liability). This bill allows

the credit for machinery and equipment located off-site of the corporation's manufacturing facilities provided that (i) the corporation owns, leases, or uses manufacturing facilities within the Commonwealth that manufacture, process, compound, or produce goods from recyclable materials, (ii) the machinery and equipment is used exclusively within the Commonwealth, and (iii) the machinery and equipment is integral to the recycling process.

The bill provides that its provisions are declaratory of existing law.

*Patron - Newman*

**CSB511 Cigarette tax; prohibition against stamping, transferring, or selling certain cigarettes.** Requires every tobacco product manufacturer whose cigarettes are sold in the Commonwealth to certify annually such manufacturer is (i) a participating manufacturer, as defined in the Master Settlement Agreement; or (ii) in full compliance with § 3.1-336.2. The certification must be delivered annually to the Tax Commissioner, the Attorney General and wholesale or retail dealers who affix Virginia revenue stamps to cigarettes of such manufacturer. The bill also prohibits every wholesale or retail dealer from affixing, or causing to be affixed, Virginia revenue stamps on the cigarette products of any tobacco product manufacturer (if the brand is not required to be certified) if the Tax Commissioner has notified the wholesale or retail dealers that such manufacturer has failed to comply with certain Master Settlement Agreement requirements or the certification required by this section. The Tax Commissioner may impose a civil penalty not to exceed \$5,000 against any tobacco product manufacturer and wholesale or retail dealer who violates this prohibition. The bill has an emergency clause.

*Patron - Puckett*

## Trade and Commerce

### Passed

**PHB118 Purchase of handguns of certain officers.** Allows a regional jail officer and any former Superintendent of the Department of State Police who leaves service after a minimum of five years to purchase the service handgun issued to him by the agency or institution at a price of one dollar.

*Patron - Pollard*

**PHB251 Septic system inspectors.** Changes the effective date for the imposition of minimum requirements for a person to use the title "accredited septic system inspector" from July 1, 2002, to July 1, 2003.

*Patron - McQuigg*

**PHB576 Uniform Computer Information Transactions Act.** Amends the provisions relating to transferability of a contractual interest in computer information. This amendment would remove the prohibition on limiting the transferability in the case of a merger or acquisition or sale of a subsidiary or affiliate.

*Patron - May*

**PHB652 Consumer Protection Act; use of social security number.** Prohibits a supplier from using a consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use a different number. A violation of this provision is a violation of the Consumer Protection Act.

*Patron - Dudley*

**PHB1271 Doing business under a fictitious name; registered agent.** Eliminates requirements that (i) persons doing business under a fictitious name appoint a resident attorney as a registered agent and (ii) service of process against the owner of a business operating under a fictitious name be filed in the circuit court where the business is located if the owner has not appointed a registered agent.

*Patron - Abbitt*

**PHB1292 Equipment dealers protection act.** Expands protections afforded to retail dealers of farm and other types of equipment with respect to their agreements with wholesalers, manufacturers, or distributors by whom they sell or distribute goods or services or otherwise use a trade name or other commercial symbol. The existing provisions regarding farm machinery dealerships are repealed. Dealer protections include (i) prohibiting suppliers from terminating, failing to renew or substantially changing the competitive circumstances of a dealer agreement without good cause; (ii) requiring a dealer who terminates an agreement with a supplier to give the supplier at least 90 days notice of the termination; (iii) requiring suppliers to give dealers at least ninety days' written notice of termination of the agreement and a sixty-day right to cure any deficiency, or 12 months to cure if the cancellation is based upon the dealer's failure to capture the share of the market required in the agreement; (iv) requiring the supplier to repurchase the dealer's inventory within 90 days following cancellation of the agreement unless the dealer chooses to keep the inventory; and (v) giving the heir of a deceased dealer the option to require the supplier to repurchase the inventory from the heir of the dealer. Suppliers are required to pay warranty claims made by the dealer thirty days after its approval, and to approve or disapprove a warranty claim within 30 days after receipt. Suppliers are also prohibited from coercing a dealer to accept delivery of equipment, parts, or accessories that the dealer has not ordered voluntarily, conditioning the sale of additional equipment to a dealer upon a requirement that the dealer also purchase other goods or services, coercing a dealer into refusing to purchase equipment manufactured by another supplier, and terminating, canceling, or failing to renew or substantially changing the competitive circumstances of the retail agreement based on circumstances beyond the dealer's control.

*Patron - Morgan*

**PSB323 Amusement Device Rider Safety Act; penalty.** Establishes a code of conduct for riders of amusement devices. Riders are required to report injuries sustained on an amusement device before leaving the premises, and are required to obey posted rules and warnings and to refrain from acting in a manner that may cause or contribute to injuring the rider or others. Violators are subject to a civil penalty not to exceed \$500. The measure states that it shall not repeal or diminish in any respect common law doctrines, which shall continue in full force and effect nor shall a violation constitute negligence per se in any civil action.

*Patron - Stolle*

**PSB436 Roller Skating Safety Act.** Establishes duties and responsibilities for the operators of roller skating rinks and skaters. The bill provides that any operator or skater who violates these duties and responsibilities may be subject to a civil penalty not to exceed \$500. The bill requires DPOR to examine the feasibility and appropriateness of regulating such skating rinks. The bill will not become effective unless reenacted in the 2003 Session of the General Assembly. The bill was prompted by the tragic death of five year-old Clark Andrew Guye in a roller skating accident in Newport News, Virginia.

*Patron - Williams*

**PSB646 Virginia Breeders Fund; Virginia-sired horses.** Allows "Virginia-sired" horses to receive disbursements from the Virginia Breeders Fund. The bill also provides for owners of Virginia-bred horses to receive disbursements from the Fund if their horses earn purse money in nonrestricted races at racetracks in Virginia licensed by the Commission. Currently, these owners are only eligible for such distributions if their horses win races.

*Patron - Wagner*

## Failed

**FSB638 Virginia Racing Commission; powers; local referenda.** Allows the Virginia Racing Commission to issue provisional licenses to own or operate racetracks or licenses to own satellite wagering facilities to an applicant prior to the applicant securing the approval through the local referendum required by law. The provisional licenses issued by the Commission shall only become effective upon the approval of the racetrack or satellite wagering facility in a referendum conducted in the jurisdiction in which the racetrack or satellite wagering facility is to be located. The bill also (i) removes the limit of six satellite facilities that the Commission is authorized to license, (ii) allows towns to conduct referenda on the question of whether pari-mutuel wagering shall be permitted at a licensed racetrack in (name of such county, city or town) on live horse racing at, and on simulcast horse racing transmitted from another jurisdiction to, the licensed racetrack on such days as may be approved by the Virginia Racing Commission, (iii) authorizes the Commission to regulate and establish fees for account wagering, and (iv) removes the 2005 sunset on the Commission's authority to alter the required number of live racing days.

*Patron - Stolle*

## Carried Over

**CHB466 Enterprise zones.** Allows business tax credits that are not usable by a small qualified business firm in the year granted to be applied to future tax years, not to exceed five years.

*Patron - Suit*

**CHB467 Residential uses within enterprise zone project.** Provides that enterprise zone projects that consist of up to 80 percent residential usage shall be eligible for enterprise zone incentives in the same manner as other qualifying projects.

*Patron - Suit*

**CHB485 Enterprise zone real property investment tax credit.** Eliminates the requirement that the owner or tenant who is paying for the real property improvement must operate the business benefiting from the improvements.

*Patron - Suit*

**CHB533 Unsolicited commercial electronic mail; prohibitions; penalties.** Prohibits sending unsolicited commercial electronic mail to persons if it uses a third party's domain name without permission; contains false or forged transmission information; contains false or misleading information in the subject line or if the person indicates that he does not wish to receive commercial electronic mail from the sender. The bill requires the sender to identify the message as an advertisement or solicitation; provide notice of the right to decline to receive further unsolicited commercial electronic mail messages from the sender; provide a valid physical address; and provide a valid return electronic mail address for

receiving requests to not receive further unsolicited commercial electronic mail messages from the sender. The bill allows interactive service providers to block commercial electronic mail sent in violation of this chapter and provides immunity from liability for such actions taken in good faith. This bill provides relief to an injured person for actual damages or the lesser of \$10 for each unsolicited bulk e-mail message or \$25,000 per day and states that the injured person shall not have a cause of action against an interactive computer service provider that merely transmits the e-mail message. The Attorney General, or attorney for the Commonwealth or attorney for a locality may bring an action to enforce these provisions. The purpose of the bill is to curb a practice known as "spamming," the sending of unsolicited commercial e-mail to unsuspecting recipients. This bill does not include provisions regarding falsifying transmission or routing information that are included in the Virginia Computer Crimes Act (§ 18.2-152.1 et seq.).

*Patron - Devolites*

**CHB774 Personal Goods Sales Act.** Requires any person offering to sell or donate personal goods on behalf of the owner of such goods to enter into a written agreement prior to the sale that includes a listing of the items to be sold or donated, the estimated value of those goods, and the means of compensating the seller for conducting the sale. Within 10 days of completion of the sale, the seller must provide the owner with the proceeds from the sale, an inventory of all goods sold or donated, the purchase price received for goods sold, the name and address of each charity that received a donation and the value of each donated item, the total proceeds received in the sale, and the amount of compensation taken by the seller.

*Patron - Watts*

**CHB849 Equal access to public accommodations.** Prohibits any person who owns or operates a place of public accommodation from restricting an individual from access or admission to the place of public accommodation or otherwise preventing the individual from using the place of public accommodation solely because the individual (i) operates a motorcycle, (ii) is a member of an organization or association that operates motorcycles, or (iii) wears clothing that displays the name of a motorcycle organization or association. The bill defines "public accommodation" as a business or other entity that offers to the general public food, shelter, recreation, or amusement, or any other goods, services, privilege, facility, or accommodation. The bill also permits individuals to sue to enjoin violations, recover damages in the amount of \$500 per violation, or up to \$1,500 for willful violations, and recover attorneys' fees and court costs.

*Patron - Stump*

**CHB1064 Enterprise zone designations.** Allows the Governor to designate up to 65 areas as enterprise zones beginning July 1, 2002, and up to 70 areas beginning July 1, 2003, and thereafter. Under current law, he may designate up to 60 areas.

*Patron - Bland*

**CHB1112 Telephone Privacy Protection Act; Do-Not-Call List.** Prohibits telephone solicitors from making telephone solicitation calls to persons who are included on a Do-Not-Call List of persons who do not wish to receive telephone solicitations. The Office of Consumer Affairs in the Department of Agriculture and Consumer Services will contract with a nonprofit organization qualifying as a list administrator to maintain the Do-Not-Call List.

*Patron - Plum*

**CHB1363 Unsolicited facsimile transmissions.** Makes the unsolicited transmission of advertising materials by

facsimile a prohibited practice under the Consumer Protection Act. The bill eliminates the requirement that the unsolicited facsimile be advertising goods or services for sale or lease. The State Corporation Commission is empowered to block access to any telephone number used in connection with such transmissions. Enforcement provisions under the Consumer Protection Act (i) permit the Attorney General to issue civil investigative demands and assurances of voluntary compliance, (ii) create an individual action for damages, and (iii) permit aggrieved parties or the Attorney General to seek injunctive relief to prevent further violations.

*Patron - Nutter*

**CSB423 Telephone Privacy Protection Act.** Prohibits its telephone solicitors from making telephone solicitations to persons who are included on a database of persons who do not wish to receive telephone solicitations. The Office of Consumer Affairs in the Department of Agriculture and Consumer Services will maintain the database and provide copies to telephone solicitors for a \$10 annual fee. Persons may be placed on the database upon written notice and payment of a \$10 registration fee and a five dollar annual renewal fee. Violations of the Telephone Privacy Protection Act are a prohibited practice under the Consumer Protection Act and are subject to the enforcement provisions of the Virginia Consumer Protection Act, except that private actions for damages are set at \$500 per violation, which may be increased, in the court's discretion, to an amount not exceeding \$1,500. Telephone companies are required to notify customers about the database and their rights under the Act. The measure also prohibits telephone solicitors from using a predictive automated dialing system to make a telephone solicitation if a telephone call generated by such system does not immediately connect the person answering the telephone call with an individual who is the telephone solicitor or an employee or agent of the telephone solicitor.

*Patron - Byrne*

**CSB567 Unsolicited commercial electronic mail; prohibitions; penalties.** Prohibits sending unsolicited commercial electronic mail to persons if it uses a third party's domain name without permission; contains false or forged transmission information; contains false or misleading information in the subject line or if the person indicates that he does not wish to receive commercial electronic mail from the sender. The bill requires the sender to identify the message as an advertisement or solicitation; provide notice of the right to decline to receive further unsolicited commercial electronic mail messages from the sender; provide a valid physical address; provide a valid return electronic mail address for receiving requests to not receive further unsolicited commercial electronic mail messages from the sender. The bill allows interactive service providers to block commercial electronic mail sent in violation of this chapter and provides immunity from liability for such actions taken in good faith. This bill provides relief to an injured person for actual damages or the lesser of \$100 for each unsolicited bulk e-mail message or \$25,000 per day and states that the injured person shall not have a cause of action against an interactive computer service provider that merely transmits the e-mail message. The Attorney General or attorney for the Commonwealth or attorney for a locality may bring an action to enforce these provisions. The purpose of the bill is to curb a practice known as "spamming," the sending of unsolicited commercial e-mail to unsuspecting recipients. This bill does not include provisions regarding falsifying transmission or routing information that are included in the Virginia Computer Crimes Act (§ 18.2-152.1 et seq.).

*Patron - Byrne*

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## Unemployment Compensation

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### Passed

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**PHB1336 Unemployment compensation; weekly benefit amount.** Increases the weekly benefit amount for recipients of unemployment compensation by 37.3 percent for claims filed between September 9, 2001, and January 1, 2003, and for claimants who had established a benefit year as of September 9, 2001. For claims filed between January 1, 2003, and January 1, 2004, the weekly benefit amount is increased by 18.65 percent above the levels in effect prior to September 9, 2001. For claims filed on or after January 1, 2004, the weekly benefit amounts revert to the levels in effect prior to September 9, 2001. The measure has an emergency clause. This bill is identical to SB 663.

*Patron - Armstrong*

**PSB663 Unemployment compensation; weekly benefit amount.** Increases the weekly benefit amount for recipients of unemployment compensation by 37.3 percent for claims filed between September 9, 2001, and January 1, 2003, and for claimants who had established a benefit year as of September 9, 2001. For claims filed between January 1, 2003, and January 1, 2004, the weekly benefit amount is increased by 18.65 percent above the levels in effect prior to September 9, 2001. For claims filed on or after January 1, 2004, the weekly benefit amounts revert to the levels in effect prior to September 9, 2001. The measure has an emergency clause. The bill incorporates SB 72 and SB 141. This bill is identical to HB 1336.

*Patron - Hawkins*

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### Failed

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**FHB944 Unemployment compensation; weekly benefit amount.** Increases the weekly benefit amount for recipients of unemployment compensation by 37.3 percent for claims filed on or after September 9, 2001. Also, an error in the existing benefits table is corrected. This bill is incorporated into HB 1336.

*Patron - Hull*

**FSB42 Unemployment compensation; weekly benefit amount.** Increases the weekly benefit amount for recipients of unemployment compensation by 37.3 percent for claims filed on or after September 9, 2001.

*Patron - Miller, Y.B.*

**FSB72 Unemployment compensation; weekly benefit amount.** Increases the weekly benefit amount for recipients of unemployment compensation by 37.3 percent for claims filed on or after September 9, 2001. This bill is incorporated into SB 663.

*Patron - Reynolds*

**FSB141 Unemployment compensation; weekly benefit amount.** Increases the weekly benefit amount for recipients of unemployment compensation by 37.3 percent for claims filed on or after September 9, 2001. This bill is incorporated into SB 663.

*Patron - Ticer*

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## Carried Over

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**CHB943 Unemployment compensation; waiting week.** Eliminates the requirement that applicants for unemployment benefits wait one week prior to receiving benefits.

*Patron - Hull*

**CSB45 Unemployment compensation; waiting week.** Eliminates the requirement that applicants for unemployment benefits wait one week prior to receiving benefits. The measure becomes effective on July 7, 2002, and expires July 6, 2003.

*Patron - Reynolds*

**CSB127 Unemployment compensation; employee misconduct.** Provides that an employee's misconduct includes testing positive for a nonprescribed controlled substance as established by a confirmed positive test conducted pursuant to a drug testing program conducted in conjunction with a rehabilitation agreement, by personnel of a probation agency or personnel of any program or agency approved by a probation agency, or pursuant to any other drug testing program administered pursuant to an order of a court of competent jurisdiction requiring the employee to remain drug-free and to submit to such tests. The drug test results shall be available to the Virginia Employment Commission.

*Patron - Ruff*

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## Waters of the State, Ports and Harbors

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### Passed

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**PHB91 Virginia Water Protection Permit; dredging project mitigation; financial responsibility requirements.** Allows for the State Water Control Board to require demonstration of financial responsibility for the completion of compensatory mitigation requirements for dredging projects. Financial responsibility may be demonstrated by letter of credit, certificate of deposit, or performance bond. When the U.S. Army Corps of Engineers requires demonstration of financial responsibility, then the mechanism and amount approved by the Corps shall be used to meet this requirement. Directs the Board to promulgate such regulations to be effective within 280 days of enactment. This bill is identical to SB 327.

*Patron - Welch*

**PHB276 Rappahannock River Basin definition.** Updates, because of redistricting, the definition of the Rappahannock River Basin to reflect the new legislative districts. The Rappahannock River Basin Commission is composed, in part, of members of the House of Delegates and Senate whose legislative districts include a portion of the Basin. This bill is identical to SB 116.

*Patron - Broman*

**PHB497 Water quality analysis.** Requires the Department of Environmental Quality to establish a citizen water quality monitoring program and authorizes the agency to provide grants to support water quality monitoring organizations. An organization would be eligible to receive a grant if (i) the monitoring activity is done under a memorandum of agreement with the Department, (ii) the activity is consistent with the agency's monitoring program and the monitoring methods manual, and (iii) the monitoring location is part of the agency's

water quality control plan. The results of the citizen monitoring are prohibited from being used as evidence in any enforcement action.

*Patron - Orrock*

**PHB1002 Nontidal wetlands program.** Eliminates any duplication of state and federal permitting requirements for those activities covered by a federal nationwide or regional permit. Once the State Programmatic General Permit is approved by the U.S. Army Corps of Engineers, only a state permit will be required for activities in nontidal wetlands.

*Patron - McDonnell*

**PHB1103 Regulation of sewage sludge.** Moves responsibility to regulate the land application of sewage sludge to the State Water Control Board and the Department of Environmental Quality (DEQ). Currently, the Department of Health is responsible for regulating the land application, marketing and distribution of sewage sludge by entities that contract with a treatment plant to dispose of the sludge. The DEQ has oversight of the land application of sludge when the sludge is applied by the owner of a sewage treatment works. This bill brings all land applications of sewage sludge under the regulatory authority of DEQ effective May 1, 2004. The new DEQ regulations will be the same as the Board of Health's Biosolids Use Regulations, to the extent that such regulations are consistent with the State Water Control Board's statutory authority. The bill will not become effective unless reenacted by the 2003 Session of the General Assembly.

*Patron - Orrock*

**PHB1279 Virginia Roanoke River Basin Advisory Committee and the Roanoke River Basin Bi-State Commission.** Establishes the Virginia Roanoke River Basin Advisory Committee and the Roanoke River Basin Bi-State Commission. The Roanoke River Basin Bi-State Commission is composed of 18 members, with nine members representing Virginia and nine members representing North Carolina. The Virginia delegation to the Bi-State Commission includes two members of the Senate and four members of the House of Delegates, whose districts include a portion of the Roanoke River Basin, and three members of the Virginia Roanoke River Basin Advisory. State and federal legislators from both states, who are not appointed to the Commission, may be nonvoting, ex-officio members of the Commission. All persons appointed to the Commission must live within the Basin's watershed. The Commission has no regulatory authority. Its purposes include: (i) providing guidance and making recommendations to local, state and federal legislative and administrative bodies on the use, stewardship, and enhancement of the water and other natural resources within the Basin; (ii) providing a forum for discussion of issues affecting the Basin's water quality, water quantity, and natural resources; (iii) promoting communication, coordination, and education among stakeholders; and (iv) identifying Basin-related problems and recommending solutions. The Virginia Roanoke River Basin Advisory Committee is composed of the six legislative members of the Virginia delegation to the Bi-State Commission, eleven persons selected by the six legislative members from among a pool of candidates recommended by the local planning district commissions within the Roanoke River Basin, and the Virginia member of the U.S. House of Representatives, whose district includes the largest portion of the Basin. The advisory committee will advise and assist the Virginia delegation to the Bi-State Commission in performing its duties. This bill also provides that (i) provisions pertaining to the State of North Carolina will become effective upon the enactment of comparable legislation by the North Carolina General Assembly; (ii) the Virginia Roanoke River Basin Advisory Committee may organize and commence its work, notwithstanding any inaction by the State

of North Carolina; and (iii) the Virginia Roanoke River Basin Advisory Committee will assume the powers and duties of the Bi-State Commission, if the General Assembly of North Carolina fails to enact or repeals legislation creating the Roanoke River Basin Bi-State Commission. This bill is identical to SB 460.

*Patron - Hogan*

**PSB116 Rappahannock River Basin definition.** Updates, because of redistricting, the definition of the Rappahannock River Basin to reflect the new legislative districts. The Rappahannock River Basin Commission is composed, in part, of members of the House of Delegates and Senate whose legislative districts include a portion of the Basin. This bill is identical to HB 276.

*Patron - Bolling*

**PSB327 Virginia Water Protection Permit; dredging project mitigation; financial responsibility requirements.** Allows the Water Control Board to require demonstration of financial responsibility for the completion of compensatory mitigation requirements for dredging projects. Financial responsibility may be demonstrated by letter of credit, certificate of deposit, performance bond, or pursuant to Army Corps of Engineer approval. When the U.S. Army Corps of Engineers requires demonstration of financial responsibility then the mechanism and amount approved by the Corps shall be used to meet this requirement. Directs the Board to promulgate such regulations to be effective within 280 days of enactment. This bill is identical to HB 91.

*Patron - Wagner*

**PSB460 Virginia Roanoke River Basin Advisory Committee and the Roanoke River Basin Bi-State Commission.** Establishes the Virginia Roanoke River Basin Advisory Committee and the Roanoke River Basin Bi-State Commission. The Roanoke River Basin Bi-State Commission is composed of 18 members, with nine members representing Virginia and nine members representing North Carolina. The Virginia delegation to the Bi-State Commission includes two members of the Senate and four members of the House of Delegates, whose districts include a portion of the Roanoke River Basin, and three members of the Virginia Roanoke River Basin Advisory. State and federal legislators from both states, who are not appointed to the Commission, may be nonvoting, ex-officio members of the Commission. All persons appointed to the Commission must live within the Basin's watershed. The Commission has no regulatory authority. Its purposes include: (i) providing guidance and making recommendations to local, state and federal legislative and administrative bodies on the use, stewardship, and enhancement of the water and other natural resources within the Basin; (ii) providing a forum for discussion of issues affecting the Basin's water quality, water quantity, and natural resources; (iii) promoting communication, coordination, and education among stakeholders; and (iv) identifying Basin-related problems and recommending solutions. The Virginia Roanoke River Basin Advisory Committee is composed of the six legislative members of the Virginia delegation to the Bi-State Commission, eleven persons selected by the six legislative members from among a pool of candidates recommended by the local planning district commissions within the Roanoke River Basin, and the Virginia member of the U.S. House of Representatives, whose district includes the largest portion of the Basin. The advisory committee will advise and assist the Virginia delegation to the Bi-State Commission in performing its duties. This bill also provides that (i) provisions pertaining to the State of North Carolina will become effective upon the enactment of comparable legislation by the North Carolina General Assembly; (ii) the Virginia Roanoke River Basin Advisory Committee may organize and

commence its work, notwithstanding any inaction by the State of North Carolina; and (iii) the Virginia Roanoke River Basin Advisory Committee will assume the powers and duties of the Bi-State Commission, if the General Assembly of North Carolina fails to enact or repeals legislation creating the Roanoke River Basin Bi-State Commission. This bill is identical to HB 1279.

*Patron - Hawkins*

## Failed

**FHB1278 Roanoke River Basin Commission.** Establishes the Virginia Roanoke River Basin Commission, which is composed of the representatives of planning district commissions located within the Basin, state legislators, a member of Congress, and nonvoting ex officio members representing the interests of North Carolina. The Commission is advisory and has no regulatory authority. Its purposes include: (i) providing guidance and making recommendations to local, state and federal legislative and administrative bodies on the use, stewardship, and enhancement of the water and other natural resources within the Basin; (ii) providing a forum for discussion of issues affecting the Basin's water quality, water quantity, and natural resources; (iii) promoting communication, coordination, and education among stakeholders; (iv) identifying Basin-related problems and recommending solutions; and (v) conducting joint meetings and communicating with North Carolina legislative and administrative bodies. Five voting members of the Virginia Commission shall serve as members of the Roanoke River Basin Bi-State Commission.

*Patron - Hogan*

**FSB142 Water permit fees.** Removes the caps on the amount the State Water Control Board can charge for the processing of an application for the various types of water permits.

*Patron - Ticer*

**FSB553 Roanoke River Basin Commission.** Establishes the Roanoke River Basin Commission, which is composed of the representatives of planning district commissions located within the Basin, state legislators, a member of Congress, and nonvoting ex officio members representing the interests of North Carolina. The Commission is advisory and has no regulatory authority. Its purposes include: (i) providing guidance and making recommendations to local, state and federal legislative and administrative bodies on the use, stewardship, and enhancement of the water and other natural resources within the Basin; (ii) providing a forum for discussion of issues affecting the Basin's water quality, water quantity, and natural resources; (iii) promoting communication, coordination, and education among stakeholders; (iv) identifying Basin-related problems and recommending solutions; and (v) conducting joint meetings and communicating with North Carolina legislative and administrative bodies. This bill is incorporated into the substitute for SB 460.

*Patron - Hawkins*

## Carried Over

**CSB331 Virginia Water Protection Permit; maintenance dredging.** Exempts maintenance dredging undertaken to mitigate the adverse impact of sedimentation and to restore the natural contours of Virginia's waterways from additional wetlands compensation in Virginia Water Protection Permits.

*Patron - Wagner*

**CSB618 Sewage sludge; local authority; fees.** Provides authority for localities to enact ordinances that prohibit, restrict, or regulate the land application of sewage sludge.

Allows for the collection of local fees to cover testing and monitoring costs. Removes certain provisions requiring the Board of Health to adopt regulations concerning the payment, collection, and disbursement of sludge land application permit fees by the Department of Health.

*Patron - Deeds*

## Welfare (Social Services)

## Passed

**PHB5 Participation in the Virginia Independence Program; exceptions.** Provides that registered nurses who are the physicians' designees or licensed nurse practitioners may sign the pregnancy statements for women who are in their fourth through ninth month of pregnancy for the purpose of obtaining an exception to the requirement to participate in the employment provisions of the Virginia Independence Program. At this time, only a physician can sign the written pregnancy statement.

*Patron - Bryant*

**PHB179 Neighborhood Assistance Plan; donation.** Adds nurses to the list of medical professionals who may donate time and services to an approved clinic that provides health care services without charge, or the basis of the patients' ability to pay, and receive a tax credit under the Neighborhood Assistance Plan.

*Patron - Sherwood*

**PHB284 Child support enforcement; automated administrative enforcement in interstate cases.** Requires the Department of Social Services to use high-volume administrative support enforcement in response to requests from other states in accordance with the Social Security Act § 466. "High volume automated administrative enforcement" in interstate cases means, on the request of another state, the identification by the Department, through automated data matches with financial institutions and other entities where assets may be found, of assets owned by persons who owe child support in other states, and the seizure of such assets by the Department, through levy or other appropriate processes.

*Patron - O'Bannon*

**PHB289 Public assistance programs; investments for purposes of self-sufficiency.** Subject to appropriation in the 2002 Appropriation Act, permits public assistance recipients to have or establish one savings or other investment account in the amount of \$5,000. Any such account including interest or appreciation in value, shall not be considered in eligibility calculations as long as no funds are withdrawn.

*Patron - McDonnell*

**PHB294 Child abuse and neglect investigations.** Requires all mandatory reporters of child abuse and neglect who maintain a record on the alleged victim to make information, records and reports that are relevant to the investigation available to the child protective services investigator. The bill adds immunity from civil or criminal prosecution or administrative penalty or sanction for persons providing information or records in good faith. Both amendments parallel provisions already existing in the adult abuse reporting statute. The bill also clarifies that this information may be provided irrespective of the prohibition against disclosing communications between physicians and patient. Finally, the bill has technical amendments.

*Patron - McDonnell*

**PHB406 Child protective services' central registry.** Permits Virginia affiliates of Compeer to screen potential volunteers through the central registry at no charge. Compeer is a not-for-profit organization that matches community volunteers in supportive friendship relationships with children and adults receiving mental health treatment.

*Patron - Weatherholtz*

**PHB513 Child welfare agencies; licensure periods.** Provides that licenses for child day centers shall have a duration of two years from date of issuance. Currently, the Department of Social Services issues licenses for periods of one, two or three years for child day centers based on compliance with standards and regulations.

*Patron - Marrs*

**PHB747 Home Energy Assistance Program.** Requires the Department of Social Services (DSS) to (i) facilitate meetings with the Department of Housing and Community Development, the Department of Mines, Minerals and Energy, and other agencies of the Commonwealth, as well as any non-state programs that elect to participate in the Home Energy Assistance Program, for the purpose of sharing information directed at alleviating the seasonal energy needs of low-income Virginians, including needs for weatherization assistance services; (ii) collect and analyze data regarding the amounts of energy assistance provided through the Department, categorized by fuel type in order to identify the unmet need for energy assistance in the Commonwealth; and (iii) develop and maintain a statewide list of available private and governmental resources for low-income Virginians in need of energy assistance. In its annual report, DSS shall (a) conduct a survey biennially beginning in 2002, regarding the extent to which the Commonwealth's efforts in assisting low-income Virginians are adequate and are not duplicative of similar services provided by utility services providers, charitable organizations and local governments; (b) obtain information on energy programs in other states; and (c) obtain necessary information from the Department of Housing and Community Development, the Department of Mines, Minerals and Energy, and other agencies of the Commonwealth, as well as any nonstate programs that elect to participate in the Home Energy Assistance Program, to complete the biennial survey and to compile the required annual report. The Department of Housing and Community Development, the Department of Mines, Minerals and Energy, and other agencies of the Commonwealth, as well as any non-state programs that elect to participate in the Home Energy Assistance Program, shall provide the necessary information to DSS. DSS' annual reporting requirement shall cease October 1, 2007.

*Patron - Plum*

**PHB828 Child protective services differential response system.** Requires an oral explanation of the family assessment procedure used by child protective services workers. The bill clarifies that reports handled by a family assessment shall not be entered into the central registry and families can decline services offered as a result of a family assessment. Finally, the bill requires the Department of Social Services to report on the effectiveness of the initial assessment in determining the appropriate level of intervention.

*Patron - Nixon*

**PHB829 Child protective services; family assessments.** Provides that a local department of social services shall generally petition the court for services deemed necessary when conducting family assessments, and deletes the more

specific language:] "including, but not limited to, removal of the child or siblings from their home."

*Patron - Nixon*

**PHB1008 Social services; faith-based liaison.** Locates the responsibilities for faith-based and community initiatives within the Department of Social Services. The responsibilities include the provision of technical assistance and information to those faith-based, volunteer, charitable and private organizations that wish to compete for social services contracts under TANF and other eligible programs.

*Patron - McDonnell*

**PHB1084 Mental health; assisted living.** Adds the option of evaluation by a licensed clinical psychologist to determine if a resident has a serious cognitive impairment prior to placement in an assisted living facility.

*Patron - Brink*

**PHB1164 Social services; privatization of child support enforcement programs.** Eliminates the reporting requirement regarding the privatization of child support enforcement programs.

*Patron - McDonnell*

**PHB1208 Licensed child day center regulations.** Provides that regulations for licensed child day centers adopted by the State Board of Social Services or the Child Day-Care Council shall not require the membership, affiliation or accreditation services of any single, private accreditation or certification agency.

*Patron - Nixon*

**PHB1362 Social services; Neighborhood Assistance Act.** Reduces the minimum monetary donation eligible for a tax credit from \$900 to \$500 and removes the \$1 million cap on tax credits available to individuals.

*Patron - Nutter*

**PSB117 Virginia Caregivers Grant Program; unpaid grant amounts.** Eliminates unpaid grant amounts carried forward from prior years because caregivers did not receive the full amount of any grant to which they were eligible in a prior year.

*Patron - Stosch*

**PSB197 Assisted living facilities.** Clarifies that assisted living facilities must post the rights and responsibilities of residents of assisted living facilities rather than the implementing policies and procedures.

*Patron - Deeds*

**PSB303 Recodification of Title 63.1; public assistance; social services; child support; persons with disabilities.** Recodifies Title 63.1 as Title 63.2. In accordance with § 30-152, the Virginia Code Commission, in 2000, undertook the recodification of Title 63.1. Title 63.1 is the legal authority for three departments under the Secretariat of Health and Human Resources: the Department of Social Services, the Department for the Blind and Vision Impaired, and the Department for the Deaf and Hard-of-Hearing. Title 63.1 was last recodified in 1968. During the past 34 years, much has happened to affect laws governing social services programs and the two disability programs. The Virginia Code Commission has rewritten and combined sections or parts of sections to clarify provisions and to eliminate archaic, obsolete or redundant language. Additionally, certain substantive changes are made, many of which reflect current practices, delete eliminated programs, or conform provisions to other statutes and regulations. The Virginia Code Commission has divided Title



63.2 into six subtitles. Subtitle I contains general provisions applicable to the entire title. The title-wide definitions and confidentiality provisions are included as general provisions. Subtitle II deals with public assistance programs. Subtitle III contains chapters related to social services programs. Two newly created chapters within Subtitle III consolidate sections related to foster care and adult services that were previously scattered throughout Title 63.1. Subtitle IV contains licensure provisions for assisted living facilities, adult day care centers, and child welfare agencies. Subtitle V reorders child support enforcement provisions, and Subtitle VI groups grant programs and funds. Existing Chapters 5 and 8 of Title 63.1, relating to the Virginia Department for the Blind and Vision Impaired, and current Chapter 5.1, relating to the Department for the Deaf and Hard-of-Hearing, are relocated to Title 51.5 (Persons with Disabilities) as part of the title revision. Current Chapter 15 (Pilot Programs for the Delivery of Human Services) is relocated to Title 15.2, because this is clearly a general local government matter. The human services that could be included in a pilot program are broader than just social services; they also include employment, health, mental health and mental retardation, rehabilitation, nursing, information and referral and such other related services. Existing Article 2 (District Homes for Aged, Indigent, Infirm, and Incapacitated Persons) of Chapter 9 of Title 63.1 will not be codified, but will be contained in an enactment clause in the title revision bill with a sunset of two years. Three current chapters are not carried forward as part of Title 63.2 and will be repealed: Chapter 6.2 (Employment Opportunities), Chapter 6.3 (Community Work Experience Programs) and Chapter 6.4 (The Virginia Welfare Reform Demonstration Project). All three chapters are early welfare reform efforts that are now obsolete.

*Patron - Edwards*

**PSB470 Child support orders; health care coverage.** Requires health care coverage provisions in all child support orders and defines "reasonable cost" as an insurance premium that does not exceed five percent of the parents' gross income unless otherwise ordered by the court as in the best interest of the child and mandates that the Department of Social Services (DSS) use the National Medical Support Notice (NMSN), which is intended to provide a standardized means of communication between DSS, employers and administrators of group health plans regarding the health care support obligations of noncustodial parents. The NMSN facilitates the process of enrolling children in the group health plans for which their noncustodial parents are eligible and its use is mandated by the Social Security Act § 466. The bill states that DSS shall use the NMSN to enforce the provision of health care coverage through an employment-related group health plan pursuant to a child support order if available at a reasonable cost, unless a court or administrative order stipulates alternative health care coverage to employer-based coverage. The bill enumerates procedures for the use of the NMSN pursuant to federal requirements. If health care is unavailable at a reasonable cost through employment, DSS shall refer dependent children to the FAMIS Plan.

*Patron - Quayle*

**PSB595 Child Day-Care Council; membership.** Adds the following members to the Child Day-Care Council: one representative of the National Association for the Education of Young Children; one representative of the National Academy of Early Childhood Programs; one representative of the Association of Christian Schools International; one representative of the American Association of Christian Schools; one representative of the National Early Childhood Program Accreditation; one representative of the National Accreditation Council for Early Childhood Professional Personnel and Programs; one representative of the International Academy for

Private Education; one representative of the Standards for the American Montessori Society Accreditation; one representative of the International Accreditation and Certification of Childhood Educators, Programs, and Trainers; and one representative of the National Accreditation Commission. The bill limits reimbursement for travel expenses of members to in-state travel.

*Patron - Hanger*

**PSB596 Licensed child day centers; approved credential.** Provides that the individuals directly supervising children in licensed child day centers may possess an approved credential awarded by an accrediting authority. The bill lists the accrediting authorities issuing such approved credential: the National Association for the Education of Young Children; the National Academy of Early Childhood Programs; the Association of Christian Schools International; the American Association of Christian Schools; the National Early Childhood Program Accreditation; the National Accreditation Council for Early Childhood Professional Personnel and Programs; the International Academy for Private Education; Standards for the American Montessori Society Accreditation; the International Accreditation and Certification of Childhood Educators, Programs, and Trainers; the National Accreditation Commission; or the Virginia Community College System or other institution of higher learning or its equivalent as determined by the Department. Currently, the licensed child day center regulations adopted by the Child Day-Care Council state that the accrediting authority is to be approved by the Department of Social Services.

*Patron - Hanger*

## Failed

**FHB970 Social services; Temporary Assistance for Needy Families (TANF) benefits.** Provides an exemption for those persons receiving TANF benefits who, subsequent to termination of benefits after 24 months, become disabled. Such persons would be eligible for continued benefits without the required two-year waiting period just as disabled persons are now exempt from the employment provisions.

*Patron - Jones, D.C.*

**FHB1037 Social services; VIEW.** Exempts eligible persons participating in the Virginia Initiative for Employment Not Welfare (VIEW) from work requirements if the person is enrolled in a program of study at an accredited public or private secondary or public or private two-year or four-year institution of higher education in the State as long as the person continues to be enrolled in such program, provided the person is making satisfactory progress in such study.

*Patron - Crittenden*

**FHB1175 Adoption; consent of the birth father.** Nullifies paternal consent-to-adoption requirement if the father has been convicted of assault and battery against the birth mother while pregnant with the child.

*Patron - Wright*

**FHJ168 Early childhood educational and developmental initiatives.** Requests the Secretary of Health and Human Resources to study early childhood educational and developmental initiatives. The study shall include (i) an examination of currently successful child development programs in the Commonwealth and other states, (ii) recommendations for the development of statewide programs to reach at-risk youth and provide them with a good start in life, (iii) strategies for financing quality child care such as business involvement

through public-private partnerships, and (iv) such other issues as the Secretary deems appropriate.

*Patron - Van Landingham*

**FSB268 Social services; auxiliary grants.** Makes the auxiliary grants program completely state-funded by eliminating the local share of the program. This is a recommendation of the Joint Commission on Health Care.

*Patron - Lambert*

**FSB454 Adult protective services registry.** Establishes the adult protective services registry, which shall contain a listing of any person employed by a facility licensed or funded by the Departments of Health, Social Services, or Mental Health, Mental Retardation or Substance Abuse Services who has abused, neglected or exploited a person who is incapacitated or 60 years of age or older, when that abuse, neglect or exploitation resulted in a local department of social services' determination that such person had or has need of protective services. Applicants for employment at nursing homes, assisted living facilities, mental health, mental retardation and substance abuse programs and facilities are required to obtain a search of the adult protective services registry for a record of any investigation of adult abuse, neglect or exploitation undertaken on the applicant. The adult protective services registry is to be maintained by the Adult Protective Services Unit of the Department of Social Services.

*Patron - Puller*

**FSB607 Adoption; consent of the birth father.** Nullifies paternal consent-to-adoption requirement if the father has been convicted of assault and battery against the birth mother while pregnant with the child and the birth mother signs the entrustment agreement or consents to the adoption of the child within twenty-four months of the birth of the child. This bill is identical to SB 628.

*Patron - Newman*

**FSB628 Adoption; consent of the birth father.** Nullifies paternal consent-to-adoption requirement if the father has been convicted of assault and battery against the birth mother while pregnant with the child and the birth mother signs the entrustment agreement or consents to the adoption of the child within twenty-four months of the birth of the child. This bill is identical to and is incorporated into SB 607.

*Patron - Saslaw*

## Carried Over

**CHB42 Social services; auxiliary grants.** Makes the auxiliary grants program completely state-funded by eliminating the local share of the program.

*Patron - Hamilton*

**CHB766 Temporary Assistance for Needy Families (TANF); child support disregard.** Returns child support collected by the Department of Social Services on behalf of recipients of TANF cash assistance pursuant to the assignment required as a condition of eligibility to such recipient. Such child support payments shall be disregarded in determining (a) eligibility for TANF cash assistance and medical assistance services and (b) the amount of the TANF cash assistance payment.

*Patron - Watts*

**CSB36 Subsidized guardianship of children living with relative caregivers.** Directs the Department of Social Services to establish a subsidized guardianship program for the benefit of children in the custody of a local board of social ser-

vices or other child welfare agency who are living with relative caregivers and who have been in foster care or living with relatives other than natural parents for not less than 18 months. A relative caregiver means a person who is caring for a child related to such person for whom the option of reunification has been eliminated and termination of parental rights is not appropriate. The subsidized guardianship program shall include a special-need subsidy, which shall be a one-time lump sum payment for expenses resulting from the assumption of care of the child, a medical subsidy, and a monthly subsidy on behalf of the child payable to the relative caregiver that shall be equal to the prevailing foster care rate. The Department may establish an asset test for eligibility under the program. The relative caregiver receiving a guardianship subsidy shall submit annually to the Department a sworn statement that the child is still living with and receiving support from the guardian.

*Patron - Miller, Y.B.*

**CSB109 Temporary Assistance to Needy Families (TANF); day care.** Requires the Department of Social Services to provide child day care services for the children of TANF recipients, participants in the Virginia Initiative for Employment Not Welfare (VIEW), and former VIEW participants for 12 months after termination of TANF financial assistance if such services are needed to (i) fulfill a VIEW requirement, (ii) enable the individual to seek or retain employment, or (iii) attend a job training or educational program that has been approved by the local department of social services, unless the local department subsequently determines that the recipient is not making satisfactory progress toward completion of such job training or educational program. The bill also requires such services for those individuals who are otherwise eligible for child day care pursuant to State Board of Social Services regulations. The bill contains technical amendments.

*Patron - Miller, Y.B.*

**CSB129 Temporary Assistance to Needy Families (TANF); child care subsidies.** Provides for up to 24 months of transitional child care for persons whose TANF financial assistance is terminated, either voluntarily or involuntarily, if such assistance enables the individual to work.

*Patron - Ticer*

## Wills and Decedents' Estates

### Passed

**PHB73 Incorporation by reference; letter of instruction or memorandum into a will, power of attorney or trust instrument.** Clarifies language of a provision of the Code enacted during the 2001 Session to assure that incorporation into irrevocable trust or later documents does not cause adverse income, estate or gift tax results.

*Patron - Howell*

**PHB315 Appointment of administrator of estate.** Clarifies the rules and order for appointment of an administrator of an intestate estate. Existing law leaves it unclear how the court is to select among multiple distributees applying for letters of administration over a decedent's estate. The bill confirms priority for the surviving spouse, if a sole distributee, and establishes that the first suitable distributee to seek to qualify after 30 days after the decedent's death should be qualified by the clerk.

*Patron - Howell*

**PHB489** **Presumption of death exception.** Provides an exception to the Commonwealth's presumption of death law for any person, (i) who has been documented to have been in that portion of the Pentagon damaged by the terrorist attack of September 11, 2001, or on American Airlines Flight 77 on September 11, 2001, when it was flown into the Pentagon; (ii) who has disappeared as a result of this terrorist attack and has not been heard from in three or more months since such terrorist attack; and (iii) whose body has not been found or whose remains have not been identified through scientific testing. Such a person shall be presumed dead in any instance or cause in which his death shall be a question. The present law relating to the disappearance of and wills and estates of such persons will apply. A petition may be filed in the Circuit Court of Arlington County to have such person declared deceased. An emergency clause is included. This bill is identical to SB 575.

*Patron - Hamilton*

**PHB722** **Wills, trusts and estates; notice of probate.** Requires notice of probate to be given within four months of qualification and allows the Commissioner of Accounts to enforce compliance.

*Patron - Howell*

**PSB152** **Wills, trusts and estates; small estates.** Redefines small estates from those valued at \$10,000 or less to those valued at \$15,000 or less in some sections of the Code. This bill is identical to HB 720.

*Patron - Norment*

**PSB575** **Presumption of death exception.** Provides an exception to the Commonwealth's presumption of death law for any person (i) who has been documented to have been in that portion of the Pentagon damaged by the terrorist attack of September 11, 2001, or on American Airlines Flight 77 on September 11, 2001, when it was flown into the Pentagon; (ii) who has disappeared as a result of this terrorist attack and has not been heard from in three or more months since such terrorist attack; and (iii) whose body has not been found or whose remains have not been identified through scientific testing. Such a person shall be presumed dead in any instance or cause in which his death shall be a question. The present law relating to the disappearance of and wills and estates of such persons will apply. A petition may be filed in the Circuit Court of Arlington County to have such person declared deceased. An emergency clause is included, making this provision effective upon passage.

*Patron - Barry*

## Failed

**FHB1341** **Presumption of death exception.** Provides an exception to the Commonwealth's presumption of death law for any person (i) who has been documented to have been in that portion of the Pentagon damaged by the terrorist attack of September 11, 2001, or on American Airlines Flight 77 on September 11, 2001, when it was flown into the Pentagon; (ii) who has disappeared as a result of this terrorist attack and has not been heard from in three or more months since such terrorist attack; and (iii) whose body has not been found or whose remains have not been identified through scientific testing. Such a person shall be presumed dead in any instance or cause in which his death shall be a question. The present law relating to the disappearance of and wills and estates of such persons will apply. A petition may be filed in the Circuit Court of Arlington County to have such person declared deceased. An emergency clause is included, making this provision effective upon passage.

*Patron - O'Brien*

**FSB469** **Wills and estates; presumption of death.** Creates a presumption of death for any person who was in any building or any aircraft that was damaged or destroyed by the terrorist attack that occurred on September 11, 2001, when American Airlines Flight 77 was flown into the Pentagon and whose body has not been found or identified within three months of such attack and who has not been heard from within three months of the attack. This is emergency legislation. This bill is incorporated into SB 575.

*Patron - Quayle*

## Workers' Compensation

### Passed

**PHB50** **Workers' compensation; occupational disease presumption; police officers of Metropolitan Washington Airports Authority.** Establishes a presumption that hypertension or heart disease causing the death or disability of an officer of the police department established and maintained by the Metropolitan Washington Airports Authority is an occupational disease compensable under the Workers' Compensation Act. This presumption applies only for periods that the Authority voluntarily subjects itself to the provisions of the Workers' Compensation Act.

*Patron - Black*

**PHB78** **Workers' Compensation Commission; availability of records to the Virginia Retirement System.** Requires that records of the Workers' Compensation Commission be made available to the Virginia Retirement System upon request.

*Patron - Bryant*

**PHB568** **Workers' compensation; disallowance of compensation.** Provides that clear and convincing evidence is required to overcome the presumption that an employee who either had a blood alcohol level equal to or greater than 0.08 percent or yields a positive test result for use of a nonprescribed controlled substance from a Substance Abuse and Mental Health Services Administration (SAMSHA) certified laboratory was intoxicated due to consuming alcohol or using a nonprescribed controlled substance at the time of his injury. The measure also provides that the presumption of intoxication shall not be available if the employee dies as the result of his injuries. Currently, an injury or death is not compensable under the Workers' Compensation Act if it is caused by the employee's intoxication or use of a nonprescribed controlled substance.

*Patron - Byron*

**PHB757** **Workers' compensation; infectious disease presumption.** Creates a presumption that hepatitis, meningococcal meningitis, tuberculosis or HIV causing the death or disability of firefighters, paramedics, emergency medical technicians, members of the State Police Officers' Retirement System, members of county, city or town police departments, sheriffs and deputy sheriffs, city sergeants or deputy city sergeants of the City of Richmond, Virginia Marine Patrol officers, certain game wardens, and Capitol Police officers who are exposed to blood or body fluids are occupational diseases for the purposes of workers' compensation. The presumptions shall apply only if persons entitled to invoke them have, if requested, undergone preemployment physical examinations,

and the presumptions shall be effective until six months following the examinations.

*Patron - Amundson*

**PHB761 Workers' compensation; claims administration.** Requires the Commission, by July 1, 2003, to institute an expedited calendar for the administration of workers' compensation claims where an employer's denial of benefits satisfies criteria establishing that the delay will cause an injured employee to incur severe economic hardship.

*Patron - Watts*

**PHB1237 Workers' compensation; occupational disease.** Grants to commercial vehicle enforcement officers and motor carrier safety troopers employed by the Department of State Police and full-time sworn members of the enforcement division of the Department of Motor Vehicles the presumption that certain cancers are occupational diseases under the Workers' Compensation Act. The bill also includes in the definition of "firefighter" any person who is employed by or contracts with any private employer primarily to provide fire-fighting services.

*Patron - Jones, J.C.*

**PHB1239 Workers' Compensation; payments to minor.** Permits periodic weekly, monthly or quarterly payments to be made to a surviving spouse or parent for the use and benefit of a minor child upon the written receipt of the surviving spouse or parent. The Workers' Compensation Commission may require the surviving spouse or parent to file an annual written certification confirming that the payments were used for the benefit of the minor. Also, the bill increases from \$10,000 to \$15,000 the amount a parent may receive in a lump sum payment on behalf of a minor compensated for injuries under Workers' Compensation. This applies to payments made after the effective date of this act.

*Patron - Suit*

**PSB158 Workers' compensation; covered employees.** Clarifies that secretaries and administrative assistants of members and officers of the General Assembly who are compensated pursuant to the general appropriation act are deemed to be employees of the Commonwealth for purposes of the Workers' Compensation Act.

*Patron - Chichester*

**PSB588 Professional employer organizations; notice of insurance cancellation.** Reduces the required time period for professional employer organizations to notify client companies of cancellation of insurance by the insurer from 15 to seven calendar days.

*Patron - Wagner*

**PSB669 Workers' compensation; proof of insurance coverage.** Permits an employer who provides proof of insurance coverage to the Workers' Compensation Commission to have his insurance carrier make such a filing. The filing requirement shall be satisfied if proof of coverage includes the insured's name, address, employer identification number, policy number, dates of insurance coverage, and the insurer's name, address and identification number. Proof of coverage filed by an insurance carrier or rate service organization shall not be aggregated with proof of coverage filed by or on behalf of other employers.

*Patron - Williams*

## Failed

**FHB273 Workers' compensation; payment of medical expenses after award.** Requires the Workers' Compensation Commission, if it finds that the employer or insurer unreasonably delayed or denied payment of the employee's medical expenses, to award interest on the amount paid for such medical attention, to the employee, or health care provider if the health care provider has not been paid, at the judgment rate of nine percent from the date the Commission deems the delay or denial unreasonable until the date paid.

*Patron - Broman*

**FHB762 Workers' compensation; health insurance benefits.** Requires any employer that provided a health insurance benefit to an employee who is totally incapacitated as a result of an injury to either (i) pay the amount of the health insurance benefit to the employee, (ii) allow the employee to continue to participate in the employer's health insurance plan and receive the same benefit that he received when he was injured, or (iii) reimburse the employee's costs of COBRA continuation of coverage under the health insurance plan.

*Patron - Watts*

**FHB763 Workers' compensation; bad faith non-payment of claims; claims administration.** Requires an employer who denies, fails or refuses to pay a claim to pay interest on the amount due at double the judgment rate from the date the employer denied, failed or refused to make the payment, if the Workers' Compensation Commission finds that the denial, refusal or failure to pay was not made in good faith. The measure also requires the Commission, by July 1, 2003, to institute an expedited calendar for the administration of workers' compensation claims where an employer's denial of benefits is alleged to cause an injured employee to incur severe economic hardship.

*Patron - Watts*

**FHB848 Workers' compensation; permanent partial impairment of spine.** Provides that an employee who suffers a permanent impairment to the neck, back or spinal column that is not otherwise compensable for loss of use of a limb is entitled to lifetime benefits at the rate of 66 2/3 percent of the injured employee's average weekly wage multiplied by the percentage of the impairment.

*Patron - Stump*

**FHB865 Workers' compensation; termination of benefits.** Requires the filing of an agreement between the employer and the employee or, in absence of such an agreement, the entering of an order by the Commission before workers' compensation benefits may be terminated.

*Patron - Phillips*

**FHB879 Workers' compensation; change in condition.** Limits the period for which the Workers' Compensation Commission may retroactively increase an injured employee's benefit as the result of a change in condition to the 120 days preceding the filing of the application for increase. Currently, the rules of the Workers' Compensation Commission limit the period to 90 days, and provide that the limitation does not apply to requests for cost of living supplements.

*Patron - Phillips*

**FHB930 Workers' compensation; permanent loss of teeth.** Provides compensation for an employee's permanent loss of a tooth. The amount of compensation is two-thirds of

the employee's average weekly wage for a period of five weeks.

*Patron - Joannou*

## Carried Over

**CHB714 Virginia Birth-Related Neurological Injury Compensation Act.** Transfers jurisdiction to determine eligibility and make awards regarding birth-related neurological injuries from the Workers' Compensation Commission to circuit courts. The board of directors of the Birth-Related Neurological Injury Compensation Program is eliminated, and management of the Birth-Related Neurological Injury Compensation Fund is transferred to the Virginia Retirement System. Participation in the Program by physicians and hospitals is mandatory, and failure to pay assessments will waive liability limits currently applicable to medical malpractice claims. The measure also provides that the Act does not deprive a parent of the right to bring a wrongful death action if a child who would be eligible for benefits under the Program dies shortly after birth.

*Patron - Armstrong*

## Constitutional Amendment Resolutions

### Passed

**PHB36 Constitutional amendment (voter referendum); property tax exemptions.** Provides for a referendum at the November 5, 2002, election to approve or reject an amendment allowing local governing bodies to grant tax exemptions for property used for charitable and certain other purposes by local ordinance subject to restrictions and conditions provided by general law enacted by the General Assembly. The present Constitution allows the General Assembly to exempt such property by classification or by designation by a three-fourths vote in each house. See also HJR 13, companion resolution.

*Patron - Howell*

**PHJ13 Constitutional amendment (second resolution); property tax exemptions.** Allows local governing bodies to grant tax exemptions for property used for charitable and certain other purposes by local ordinance subject to restrictions and conditions as provided by general law enacted by the General Assembly. The present Constitution allows the General Assembly to exempt such property by classification or by designation by a three-fourths vote in each house. See also HB 36, companion referendum bill.

*Patron - Howell*

**PSB131 Constitutional amendment (voter referendum); claims of actual innocence.** Provides for a referendum at the November 5, 2002, election to approve or reject an amendment to permit the Supreme Court to consider, as part of its original jurisdiction, claims of actual innocence presented by convicted felons in the cases and manner provided by the General Assembly. See, also, SJR 42, companion resolution.

*Patron - Stolle*

**PSJ42 Constitutional amendment (second resolution); claims of actual innocence.** Provides that the Supreme Court may consider, as part of its original jurisdiction, claims of actual innocence presented by convicted felons in the cases

and manner provided by the General Assembly. Senate Bill 131 is the companion referendum bill.

*Patron - Stolle*

## Failed

**FHJ11 United States Constitution; Equal Rights Amendment.** Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.

*Patron - Darner*

**FHJ92 Constitutional amendment (first resolution); county, city, and town governing bodies and school boards.** Provides that the General Assembly may spell out by statute how local redistricting changes will be determined when redistricting affects both the governing body and an elected school board. The present Constitution requires the local governing body to redistrict each 10 years. The proposed amendment gives the General Assembly latitude to have the local governing body, elected school board, a combination of both, or an alternative entity redraw local district lines after each census.

*Patron - Ingram*

**FSJ49 United States Constitution; Equal Rights Amendment.** Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.

*Patron - Byrne*

## Carried Over

**CHJ1 Constitutional amendment (first resolution); Governor's term of office.** Permits the Governor to succeed himself in office. The amendment allows two terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2005 and thereafter to serve two successive terms.

*Patron - Purkey*

**CHJ16 Constitutional amendment (first resolution); restoration of civil rights for felons.** Authorizes the General Assembly to provide by law, or establish a process by law, for the restoration of civil rights for felons who meet the conditions prescribed by law.

*Patron - Jones, J.C.*

**CHJ17 Constitutional amendment (first resolution); restoration of civil rights by operation of law for certain felons.** Provides that the General Assembly shall provide for the restoration of civil rights by operation of law to any person who has been convicted of a non-violent felony, as defined by law, and who has completed service of sentence and any modification of sentence, including probation, parole, and suspension of sentence.

*Patron - Jones, J.C.*

**CHJ96 Constitutional Amendment (first resolution); postponement of elections.** Allows the General Assembly to provide by law for the postponement of elections due to an emergency. Because the Constitution requires that elections for

Governor, Lieutenant Governor, Attorney General and General Assembly members be held on the first Tuesday following the first Monday in November, these elections cannot be postponed by law. Times for primaries, special elections, general elections for local or constitutional office and referenda and elections for federal office to fill vacancies in the United States Senate or the United States House of Representatives are currently set by law and can be postponed without a constitutional amendment. This bill is a recommendation of the Joint Subcommittee Studying Virginia's Election Process and Voting Technologies (HJR681/SJR 363 -- 2001).

*Patron - O'Brien*

**CHJ117 Constitutional amendment[HKB1]; taxation of certain motor vehicles.** Exempts motor vehicles used for nonbusiness purposes from the property tax and provides that general law shall provide for at least 15 percent of the state individual income tax to be distributed to local governments.

*Patron - Byron*

**CHJ126 Constitutional amendment (first resolution); property exempt from taxation.** Exempts privately owned motor vehicles used for nonbusiness purposes from state and local taxation.

*Patron - Watts*

**CHJ131 Constitutional amendment (1st resolution); authorization to grant certain taxing powers to school boards.** Authorizes the General Assembly, by general law or special act, to grant one or more elected school boards the power to impose real estate taxes and appropriate the funds derived from the taxes for the educational program of the district. The present Constitution in Article VII, Section 7, states that taxes are imposed by an ordinance or resolution adopted by the local governing body and has been construed to prevent the granting of taxing powers to local school boards.

*Patron - Stump*

**CHJ144 Constitutional amendment; limits growth of state budget.** Limits general fund growth in any fiscal year to the preceding year's general fund appropriation plus the percentage increase in gross state product for the most recently available year plus a factor for population increases. The General Assembly may exceed this limitation with a two-thirds vote of each house. Also provides that 50 percent of the increased revenues is to be returned to the citizens of Virginia and 50 percent goes into the Revenue Stabilization Fund.

*Patron - Ware*

**CHJ146 Constitution; property segregated for local taxation.** Provides that any law proposing to reimburse or otherwise substitute state funds for a local tax so segregated shall provide for the full reimbursement of the local revenues, including administrative and other ancillary governmental costs.

*Patron - Almand*

**CSJ10 Constitutional amendment (first resolution); restoration of civil rights for felons.** Authorizes the General Assembly to provide by law, or establish a process by law, for the restoration of civil rights for felons who have completed service of sentence, probation, and parole and met such other conditions or limitations as may be prescribed by law.

*Patron - Miller; Y.B.*

**CSJ40 Constitutional Amendment (first resolution); postponement of elections.** Allows the General Assembly to provide by law for the postponement of elections due to an emergency. Because the Constitution requires that elections for Governor, Lieutenant Governor, Attorney General and General

Assembly members be held on the first Tuesday following the first Monday in November, these elections cannot be postponed by law. Times for primaries, special elections, general elections for local or constitutional office and referenda and elections for federal office to fill vacancies in the United States Senate or the United States House of Representatives are currently set by law and can be postponed without a constitutional amendment. This bill is a recommendation of the Joint Subcommittee Studying Virginia's Election Process and Voting Technologies (HJR681/SJR 363, 2001).

*Patron - Bolling*

**CSJ51 Constitutional amendment (first resolution); taxation; exemptions.** Exempts from taxation motor vehicles and boats, as provided by general law.

*Patron - Colgan*

**CSJ70 Constitutional amendment (first resolution); taxation; assessments.** Provides that the General Assembly may prescribe a measure other than fair market value to be used in determining assessments of personal residences.

*Patron - Miller; K.G.*

**CSJ92 Constitutional amendment (first resolution); property segregated for local taxation.** Provides that any law proposing to reimburse or otherwise substitute state funds for a local tax so segregated shall provide for the full reimbursement of the local revenues, including administrative and other ancillary governmental costs.

*Patron - Whipple*

## Other Resolutions

### Passed

**PHJ2 Brunswick Stew Day.** Designates the fourth Wednesday in January as Brunswick Stew Day at the General Assembly.

*Patron - Wright*

**PHJ18 Asian/Pacific American Heritage Month.** Designates May as Asian/Pacific American Heritage Month in Virginia in recognition of the contributions of Asian/Pacific Americans to Virginia's cultural diversity.

*Patron - Lingamfelter*

**PHJ19 Virginia Police, Fire, and Rescue Services Memorial Day.** Designates September 11, in 2002 and in each succeeding year, as Virginia Police, Fire, and Rescue Services Memorial Day to honor those Virginians who have given their lives to protect the lives of their fellow citizens.

*Patron - Lingamfelter*

**PHJ100 MyVirginia PIN.** Supports the leadership of the Office of the Secretary of Technology, the Council on Technology Services, the Department of Motor Vehicles and the Department of Information Technology and their efforts to develop the My Virginia Personal Identification Number (MyVirginia PIN), thus enabling citizens to conduct secure online transactions with multiple agencies across multiple levels of government.

*Patron - Devolites*

**PHJ112 Virginia victims of terrorist attacks of September 11.** Honors the Virginians who were killed as a result

of the terrorist attacks of September 11, 2001, and expresses condolences to their families.

*Patron - O'Brien*

**PHJ130 Children of America Finding Hope Day in Virginia.** Designates October 16 as Children of America Finding Hope Day in Virginia and encourages Virginia families to observe the day with family-centered activities.

*Patron - Stump*

**PHJ143 Volunteer Rescue Squad and Fire Departments.** Encourages the Virginia Municipal League and the Virginia Association of Counties to communicate to the legislature strategies to effect a better partnership between local and state governments in securing resources to assist volunteer rescue squads and fire departments and in developing strategies for provider recruitment and retention.

*Patron - Landes*

**PHJ145 Breast-feeding.** Encourages employers to recognize the benefits of breast-feeding and to provide unpaid break time and appropriate space for employees who need to breast-feed or express their milk for their infant children.

*Patron - Baskerville*

**PHJ158 Principles of freedom in Standards of Learning.** Supports the Board of Education's efforts to ensure that the principles of freedom and individual rights are reflected in the Standards of Learning for the elementary and secondary school curriculum in an age-appropriate manner, and that local school boards seek to ensure that such principles are included within public school instruction.

*Patron - McDonnell*

**PHJ161 Mentoring Month.** Designates January 2002 and each succeeding January as Virginia Mentoring Month to encourage the participation of Virginians in the mentoring of the Commonwealth's youth.

*Patron - Scott*

**PHJ169 Acknowledging and supporting the Accord Between the Commonwealth of Virginia and the United States Department of Education Office for Civil Rights.**

Acknowledges and supports the agreement reached and signed by the Governor, Virginia Secretary of Education, and the Office of the Attorney General, on behalf of the Commonwealth, and the U. S. Secretary of Education and other federal officials on November 7, 2001, to conclude the five-year federal compliance review contingent upon Virginia's good faith efforts to comply with the terms of the Accord. The 30-year period of litigation, reviews, and agreements began in 1970 with a class action suit, *Adams v. Richardson*, 480 F. 2d 1159, 1164 (D.C. Cir. 1973) (en banc), that was brought by the NAACP Legal Defense Fund against the United States Department of Health, Education, and Welfare, charging it with non-enforcement of Title VI of the Civil Rights Act of 1964 with regard to 17 southern and border states. Virginia and nine other states (i.e., Louisiana, Mississippi, Oklahoma, North Carolina, Florida, Arkansas, Pennsylvania, Georgia, and Maryland) were found to be operating segregated systems of higher education between January 1969 and February 1970, and had to submit plans to desegregate their higher education systems. In 1992, the U. S. Supreme Court held in *Ayers v. Fordice*, (505 US 717, 112 S.Ct. 2727, 1992) that the state of Mississippi had not met its duty to remedy the effects of past de jure segregation in higher education, prompting the U.S. Department of Education to direct the Office for Civil Rights to review the desegregation efforts of the 10 southern and border states relative to the Court's decision in *Fordice*. Between 1995 and 2001, an investigatory team of the Office for Civil Rights conducted a federal

compliance review of the Commonwealth's higher education system. The agreement, signed on November 7, 2001, requires substantial funding, beginning in the 2002-2004 biennium, to provide parity between Norfolk State University and Virginia State University and the other senior state-supported four-year institutions, and to allow Virginia to comply with other points of the agreement. With the signing of the agreement, the Commonwealth will enter a five-year monitoring and reporting phase required by the U.S. Department of Education to ensure continuous progress towards the goals enumerated in the Accord, whereby failure of the Commonwealth to adhere to the terms of the agreement will result in the loss of federal funds and costly litigation brought by the U. S. Department of Justice. This resolution is a recommendation of the Commission on Access and Diversity in Higher Education.

*Patron - Jones, J.C.*

**PHJ172 P3P and government websites.** Encourages all state and local government agencies and individuals to incorporate machine-readable privacy policies and the Platform for Privacy Preferences Project specification (P3P) into all agency and personal government websites. This resolution also requests VIPNet to work with its parent company, NIC, to encourage other governments to adopt P3P into their websites.

*Patron - Brink*

**PHJ183 Korean-American Immigration.** Commemorates the 100th anniversary of Korean-American Immigration.

*Patron - Petersen*

**PHJ199 Licensing residential placements.** Requests that the Departments of Mental Health, Mental Retardation and Substance Abuse Services, Health, Medical Assistance Services, and Social Services to work together to develop a joint or cooperative methodology or a singular licensing entity for residential services for individuals with mental disabilities or substance abuse problems. The Departments shall seek participation and input from representatives of appropriate stakeholder groups, including representatives from the Community Services Boards, NAMI-Virginia, the Substance Abuse and Addiction and Recovery Association, the ARC of Virginia, the Parents and Associates of the Institutionalized Retarded, the Virginia Hospital and Healthcare Association, the Virginia Health Care Association, the Virginia Association of Nonprofit Homes for the Aging, and the Association of Assisted Living Facilities.

*Patron - Watts*

**PHJ235 Traumatic Brain Injury (TBI) Programs.** Urges the Department of Medical Assistance Services to develop a plan by July 1, 2002, in collaboration with the Department of Rehabilitative Services and the Brain Injury Association of Virginia, to consider amending the admission criteria of nursing facility Traumatic Brain Injury (TBI) programs to include persons diagnosed with nondegenerative, nontraumatic injury to the brain or otherwise develop a plan to improve access for persons with TBI. This resolution is a recommendation of the Disability Commission.

*Patron - Broman*

**PHJ249 Cold War Museum.** Expresses the sense of the General Assembly in support of the establishment of a permanent home for the Cold War Museum at the former Nike Missile Base in Lorton, Virginia.

*Patron - Petersen*

**PHJ252 Virginia National Guard and reserve components of the Armed Forces.** Encourages employers to continue salary compensation and employee benefits for members of the Virginia National Guard and any reserve components of



the armed forces of the United States during Operation Enduring Freedom, the military action launched in response to the September 11, 2001 terrorist attacks.

*Patron - Marshall, D.W.*

**PHJ254 Green Spring plantation site.** Supports the opening of the Green Spring plantation site as a unit of the Colonial National Historical Park by the year 2007. The Green Spring plantation was owned by the 17th century royal Governor, Sir William Berkeley, who served two terms in the capital of Jamestown between the years 1641 and 1677, established Virginia's bicameral legislative assembly and played a pivotal role in developing a civil society in America based upon English law.

*Patron - Rapp*

**PHJ256 Health care costs.** Supports the effort to preserve access to affordable, quality health care and the continuation in refraining from enacting health care laws and regulations without adequate analysis and careful consideration of their impact on health care costs and the uninsured.

*Patron - Bryant*

**PHJ258 Coal miner's stamp.** Urges the United States Postal Service to issue a stamp commemorating the contributions of American coal miners. This resolution is identical to SJR 170.

*Patron - Stump*

**PHJ259 Polycystic Kidney Disease.** Designates the week of May 12-18, 2002, as Polycystic Kidney Disease Awareness Week in Virginia.

*Patron - Ware*

**PHJ261 Health; prenatal testing.** Requests the Board of Medicine and physicians across the Commonwealth to provide full information to their patients about the nature of the Alpha-fetoprotein test and Multiple Marker Screens so as to reduce anxiety among expectant parents and provide them with an accurate understanding of the risks of fetal abnormality.

*Patron - Saxman*

**PHJ428 Greek Independence Day.** Designates March 25, 2002, as Greek Independence Day in Virginia, in honor of the 181st anniversary of the beginning of the revolution that freed the Greek people from the Ottoman Empire. This resolution is identical to SJR 255.

*Patron - Joannou*

**PHR18 Veterans Day Observance.** Expresses the opposition of the House of Delegates to any attempt to move the observance of Veterans Day from November 11th. This resolution is identical to HJR 48.

*Patron - Gear*

**PHR19 Medicare coverage for anti-cancer drugs.** Memorializes Congress to enact legislation requiring Medicare to cover all oral anti-cancer drugs. This resolution is identical to HJR 335, SJR 216, and SR 2.

*Patron - Gear*

**PHR21 Reauthorization of the federal surface transportation program.** Urges Congress to reauthorize the federal surface transportation program to (i) provide fair and equitable distribution of highway funds to states, (ii) ensure that firewalls between the Transportation Trust Fund and other federal spending be maintained, (iii) continue Revenue Aligned Budget Authority, and (iv) meaningfully streamline federal envi-

ronmental and other regulations to expedite project review and highway construction. This resolution is identical to HJR 160.

*Patron - McDonnell*

**PHR22 Historic preservation tax credits.** Urges the Congress to expand use of federal historic preservation tax credits to qualified owner-occupied structures. This resolution is identical to HJR 77.

*Patron - Suit*

**PSJ29 National Army Museum.** Welcomes the National Museum of the United States Army to Fort Belvoir, which was chosen as the museum's site in October 2001.

*Patron - Puller*

**PSJ39 Critical infrastructure protection.** Encourages the Secretary of Technology and Secretary of Public Safety, in cooperation with other appropriate state agencies, to develop policies, procedures and standards for the analysis of the Commonwealth's critical infrastructure and coordinate this analysis with the federal government and the private sector.

*Patron - Bolling*

**PSJ65 Cooperation in educating the medical profession concerning certain laws and programs relating to lead poisoning prevention.** Encourages the Board of Medicine, the Medical Society of Virginia, and the Old Dominion Medical Society to cooperate in educating the medical profession concerning certain laws and programs relating to lead poisoning prevention. The Joint Subcommittee Studying Lead Poisoning Prevention requests that this cooperation include (i) the requirements of §§ 32.1-46.1 and 32.1-46.2 relating to the Board of Health's protocol for identification of children with elevated blood-lead levels and the requirement to test children in accordance with such protocol for elevated blood-lead levels or to obtain a determination that the children are at low risk for elevated blood-lead levels, (ii) the activities of Lead-Safe Virginia and Bright Futures, and (iii) the partnership between the Departments of Health and Medical Assistance Services to prevent lead poisoning and to improve children's health. This resolution is a recommendation of the Joint Subcommittee Studying Lead Poisoning Prevention.

*Patron - Lambert*

**PSJ68 "Friendship Through Education Initiative."** Requests the Board of Education to encourage the public schools of the Commonwealth to participate in the "Friendship Through Education Initiative" to promote an understanding of citizenship, appreciation for community service, and a culture of peace that respects the worth and dignity of all persons. The "Friendship Through Education Initiative" is a consortium of international organizations designed to combat terrorism by building strong and lasting relationships between American children and those of other countries and cultures, particularly Islamic countries. The "Friendship Through Education Initiative" was announced by the President on October 25, 2001, in his appeal to the American people to fight terrorism on the homefront with courage, patience, community service, and humanitarian outreach to the people of Afghanistan. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission.

*Patron - Marsh*

**PSJ74 Healthy Heart Day.** Designates February 14, in 2002 and in each succeeding year, as Healthy Heart Day in Virginia.

*Patron - Potts*

**PSJ99 Collection and dissemination of information on effective treatment for children.** Directs the Virginia

Commission on Youth to coordinate the collection and dissemination of empirically-based information that would identify the treatment modalities and practices recognized as effective for the treatment of children, including juvenile offenders, with mental health treatment needs, symptoms and disorders. This initiative is a recommendation of the Virginia Commission on Youth's Study of Children and Youth with Serious Emotional Disturbance Requiring Out-of-Home Placement (HJR 119, 2000) and the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). The resolution is identical to HJR 119 and HJR 165). The Commission, or its successor in interest, must submit a copy of the information directed to be collected and disseminated to the General Assembly through the Senate Committee on Education and Health, the Senate Committee on Rehabilitation and Social Services, the House Committee on Health, Welfare and Institutions, and to the Division of Legislative Services, no later than November 30, 2002.

*Patron - Houck*

**PSJ129 Legal Professionals' Day.** Designates the Wednesday of the second full week of October, in 2002 and in each succeeding year, as Legal Professionals' Day in Virginia.

*Patron - Houck*

**PSJ133 Virginia Transplant Council.** Requests the Virginia Transplant Council to encourage all donor families to become involved in its interagency donor family activities. This resolution noted that the Virginia Transplant Council was established for the purpose of educating the public about the importance of organ and tissue donation and the contributions such donations make to the health and lives of thousands of people. Further, the transplant community depends on the public and its good will and altruism to obtain organ and tissue donations and the blood donations that support transplantation. The Virginia Transplant Council has pulled together an umbrella organization with representation from its members' donor family programs.

*Patron - Martin*

**PSJ137 National Vietnamese Remembrance Day in Virginia.** Designates April 30 as National Vietnamese Remembrance Day in Virginia. This resolution is identical to SJR 171.

*Patron - Byrne*

**PSJ139 Vietnamese Americans Freedom Fighters Day.** Designates June 19 as Vietnamese Americans Freedom Fighters Day in Virginia.

*Patron - Byrne*

**PSJ141 Confirming Governor's appointments to various positions and entities.** Confirms appointments made by Governor James S. Gilmore III to various positions and entities with certain exceptions.

*Patron - Miller, K.G.*

**PSJ177 Confirming Governor's appointments to various positions.** Confirms appointments made by Governor Mark R. Warner of cabinet secretaries and chief of staff.

*Patron - Miller, K.G.*

**PSJ178 Confirming appointment of Chairman, Virginia Criminal Sentencing Commission.** Confirms appointment by the Chief Justice of the Supreme Court of Virginia of the Honorable Robert Stewart to a four-year term as Chairman.

*Patron - Miller, K.G.*

**PSJ227 Confirming Governor's appointments to various positions.** Confirms appointments made by Governor Mark R. Warner of certain agency heads and board, committee, and commission members.

*Patron - Miller, K.G.*

**PSJ228 Women and Girls' Wellness Month.** Designates April, in 2002 and in each succeeding year, as Women and Girls Wellness Month in Virginia. This resolution is identical to HJR 328.

*Patron - Whipple*

**PSJ255 Greek Independence Day.** Designates March 25, 2002, as Greek Independence Day in Virginia, in honor of the 181st anniversary of the beginning of the revolution that freed the Greek people from the Ottoman Empire. This resolution is identical to HJR 428.

*Patron - Rerras*

**PSJ279 Appointment; Commonwealth Health Research Board.** Confirms the appointment to the Board by the Joint Rules Committee of the Honorable Hunter B. Andrews for a five-year term beginning April 1, 2002, to succeed himself.

*Patron - Trumbo*

**PSR21 Medicare coverage for anti-cancer drugs.** Urges Congress to enact legislation requiring Medicare to cover all oral anti-cancer drugs. This resolution is identical to SJR 216, HJR 335, and HR 19.

*Patron - Williams*

## Failed

**FHJ12 Documentation required of aliens seeking to attend U.S. flight schools.** Urges Congress to require additional proof of identity and other documentation from aliens who seek to undergo flight instruction in the United States, in order to reduce the possibility that American flight schools will again be used to train terrorists.

*Patron - Tata*

**FHJ36 Constitution on the one-dollar bill.** Urges Congress to support the Liberty Dollar Bill Act (H.R. 1021 and S. 1225), which redesigns the one-dollar bill to include a summary of the United States Constitution on its reverse side.

*Patron - Hargrove*

**FHJ48 Veterans Day Observance.** Expresses the opposition of the General Assembly to any attempt to move the observance of Veterans Day from November 11th. This resolution is identical to HR 18.

*Patron - Gear*

**FHJ68 Adequate funding for children of foreign nationals.** Urges the Congress of the United States to provide adequate financial impact aid to the Commonwealth of Virginia and its localities that reflects the actual costs to provide education and other services to children of foreign nationals who do not enjoy a recognized immigration status.

*Patron - Reese*

**FHJ115 National identification cards.** Urges Congress to propose state issuance of national identification cards under a federal standard.

*Patron - Watts*

**FHJ127 Volunteer rescue squads and fire departments.** Urges Congress to appropriate funds needed for the

support of volunteer rescue squads and fire departments that service localities located along the national highway system.

*Patron - Rapp*

**FHJ155 TV-Turn-Off Week 2002.** Designates the week of April 22-28, 2002, as Virginia TV Turn-Off Week 2002 and encourages Virginians to explore alternatives to watching television.

*Patron - Pollard*

**FHJ171 Communication, collaboration, and cooperation among the public and higher education systems and the Virginia General Assembly.** Requests the Secretary of Education to facilitate communication, collaboration, and cooperation among the public and higher education systems, and the Virginia General Assembly to establish a K-20 continuum. The Secretary of Education is also requested to apprise the Commission on Access and Diversity in Higher Education regarding progress toward accomplishing initiatives that promote the K-20 continuum, dialogue with citizens and the business community to strengthen support for public and higher education, and efforts to ensure better articulation and alignment of curricula between public and higher education. The Secretary is also requested to recommend to the Commission by November 30, 2002, any changes to existing state laws that may be necessary to assist public and higher education agencies in accomplishing their individual missions and the objectives of this resolution. This resolution is a recommendation of the Commission on Access and Diversity in Higher Education.

*Patron - Jones, J.C.*

**FHJ328 Women and Girls Wellness Month.** Designates April, in 2002 and in each succeeding year, as Women and Girls Wellness Month in Virginia. This resolution is identical to SJR 228.

*Patron - Van Landingham*

**FHJ335 Medicare coverage for anti-cancer drugs.** Urges Congress to enact legislation requiring Medicare to cover all oral anti-cancer drugs. This resolution is identical to HR 19, SJR 216, and SR 21.

*Patron - Gear*

**FSJ170 Coal miner's stamp.** Memorializes the United States Postal Service to issue a stamp commemorating the contributions of American coal miners. This resolution is identical to HJR 258.

*Patron - Puckett*

**FSJ171 National Vietnamese Remembrance Day in Virginia.** Designates April 30 as National Vietnamese Remembrance Day in Virginia. This resolution is identical to SJR 137.

*Patron - Byrne*

**FSJ216 Medicare coverage for anti-cancer drugs.** Urges Congress to enact legislation requiring Medicare to cover all oral anti-cancer drugs. This resolution is identical to SR 21, HJR 335, and HR 19.

*Patron - Williams*

## Carried Over

**CSJ142 Health care; costs.** Expressing the sense of the General Assembly that, in an effort to preserve access to affordable, quality health care, the General Assembly shall refrain from enacting health care laws and regulations without adequate analysis and careful consideration of the impact on

health care costs and the uninsured. This resolution is identical to HJR 256.

*Patron - Rerras*

## Miscellaneous (Including Budget and Bonds)

### Passed

**PHB27 Claims; Kingdom Communications Group, LLC.** Provides relief in the amount of \$4,410.50 to Kingdom Communications Group, LLC for the cost of performance incurred by the company after a contract that had been awarded to the company by the State Board of Elections was terminated.

*Patron - Callahan*

**PHB29 Budget bill.** Amends Appropriations Act of 2000, Chapter 1073.

*Patron - Callahan*

**PHB30 Budget Bill.** Makes appropriations for the 2002-04 biennium.

*Patron - Callahan*

**PHB789 Claims; Jeffrey D. Cox.** Provides \$750,000 in relief for Jeffrey D. Cox. Mr. Cox was incarcerated from 1990 to 2001 for a crime that newly discovered evidence revealed he did not commit. The Virginia Supreme Court entered an order vacating the conviction on November 14, 2001. This bill is identical to SB 267.

*Patron - Miles*

**PHB1107 Claims; Mary E. Ferguson.** Directs the Virginia Retirement System to allow Mary E. Ferguson to apply for disability retirement benefits based on an effective date of July 1, 1994. The bill, however, does not automatically grant such relief. Ms. Ferguson's initial application for disability retirement was denied by the Virginia Retirement System, which took the position that Ms. Ferguson had been on leave without pay for a period exceeding 24 months. A hearing officer concluded that Ms. Ferguson was entitled to file for disability but the VRS rejected the finding. Ms. Ferguson decided to appeal the decision pursuant to the Administrative Process Act. She believed that the attorney who represented her at the hearing would handle the appeal. The attorney did not handle the appeal, which was never perfected, resulting in Ms. Ferguson being unable to contest the decision of the VRS to deny the application. The bill contains an emergency clause.

*Patron - Christian*

**PHB1157 Claims; Flory Small Business Development Center, Inc.** Provides \$33,333 in relief to the Flory Small Business Development Center, Inc. to reimburse the Center for small business counseling, training and other services it provided to the Virginia Small Business Development Center program of the Virginia Department of Business Assistance for 1999.

*Patron - Marshall, R.G.*

**PHB1166 Claims; Paul E. Johnson.** Provides \$842 in relief to Paul E. Johnson to reimburse legal fees paid by Mr. Johnson to hire an attorney to represent him during the investigation of possible environmental violations in connection with the 460 Bypass construction project in Montgomery County. While Mr. Johnson was an employee of the Virginia Depart-

ment of Transportation at the time, he was required to hire an attorney because legal counsel hired by the VDOT could not represent him regarding any potential personal criminal liability.

*Patron - Griffith*

**PSB211 Alexandria Historical Restoration and Preservation Commission.** Expands the membership of the Commission from seven to nine members beginning July 1, 2002. In addition, the bill allows the definition of restoration period to include a period of 50 years from the date that the Commission determines to restore a facility. The bill also includes a technical amendment.

*Patron - Ticer*

**PSB267 Claims; Jeffrey D. Cox.** Provides relief for Jeffrey D. Cox, consisting of a lump-sum payment of \$350,000 to be paid by August 1, 2002, and an annuity that will pay out \$400,000 over a ten-year period beginning in 2002. Mr. Cox was incarcerated between 1990 and 2001 for a crime that newly discovered evidence revealed he did not commit. The Virginia Supreme Court entered an order vacating the conviction on November 13, 2001. The bill is identical to House Bill 789.

*Patron - Lambert*

**PSB471 Conveyance of certain lands to the City of Portsmouth.** Authorizes the Commonwealth to convey certain lands to the City of Portsmouth. The bill contains an emergency clause.

*Patron - Quayle*

## Failed

**FHB617 Claims; Ricki A. Vick, Michele S. Vick and Caroline E. Vick.** Provides relief for Ricki and Michele Vick and their daughter Caroline Vick. Caroline Vick suffers from spastic quadriplegia and cerebral palsy as a result of oxygen deprivation during birth. Under the bill, the Birth-Related Neurological Injury Compensation Program is directed to provide, from funds within the Birth-Related Neurological Injury Compensation Fund, a trust for Caroline E. Vick for the purchase of a residence (i) sufficient for a residence in a comparable neighborhood to that in which the Vicks now reside, (ii) commensurate with the real estate market conditions, and (iii) to fully accommodate any special needs.

*Patron - Devolites*

**FHB654 Claims; Sergeant Kermit Johnson.** Provides relief to Sergeant Kermit Johnson, an employee of the Virginia Department of State Police. Sergeant Johnson was injured while on duty. Though he was unable to return to work, he subsequently had recurring medical problems related to his injury that caused him to almost exhaust his available sick leave. The bill (i) directs the Superintendent of the Virginia State Police to restore the sick and annual leave balances of Sergeant Johnson to the amount existing as of May 15, 1998, and (ii) provides that Sergeant Johnson shall have all benefits provided pursuant to the Virginia Workers' Compensation Act.

*Patron - Dudley*

**FHB736 Claims; Daniel and Brenda Brewer.** Provides relief in the amount of \$132,300 to Daniel and Brenda Brewer to correct structural problems with their home. The home contains several structural problems that were not noted by the local building official during any of the inspections conducted by the Uniform Statewide Building Code. In addition,

the building official issued a certificate of occupancy despite the existence of the structural problems.

*Patron - Carrico*

**FHB986 Claims; Victor Mottley.** Provides \$599 in relief for Victor Mottley. Mr. Mottley was forced to incur legal expenses and other costs to expunge a conviction that erroneously remained on his record after he had been acquitted.

*Patron - Hall*

**FSB29 Budget bill.** Amends Appropriations Act of 2000, Chapter 1073.

*Patron - Chichester*

**FSB30 Budget Bill.** Makes appropriations for the 2002-04 biennium.

*Patron - Chichester*

**FSB88 Claims; Jeffrey D. Cox.** Provides \$750,000 in relief for Jeffrey D. Cox. Mr. Cox was incarcerated from 1990 to 2001 for a crime that newly discovered evidence revealed he did not commit. The Virginia Supreme Court entered an order vacating the conviction on November 14, 2001. This bill is incorporated into SB 267.

*Patron - Marsh*

**FSB338 Claims; Sharon Dalton.** Provides \$69,820 in relief for Sharon Dalton. Mrs. Dalton was injured in December 1996 while performing her work duties for the Department of Alcohol Beverage Control when a stack of liquor cases fell on her head and neck, injuring her neck. This relief is for lost wages from February 2000. The Workers' Compensation Commission denied Mrs. Dalton's claim for part of the period in question; however, Mrs. Dalton questions the sufficiency of the evidence relied upon by the Commission in deciding to deny her claim.

*Patron - Ruff*

**FSB462 Claims; Millard "Junior" Poff.** Provides relief to Millard "Junior" Poff, in an amount not to exceed \$30,000, for physical and financial injuries arising from an accident caused by the lack of an adequate shoulder on a highway in Montgomery County. The claim is for (i) the replacement value of Mr. Poff's truck and fertilizer spreader, less any amount received by Mr. Poff as the result of insurance moneys related to the truck and accident in question, and (ii) the medical bills arising from the injuries he sustained from the accident, less any amount received by Mr. Poff as the result of insurance moneys.

*Patron - Marye*

## Charters and Authorities

### Passed

**PHB24 Charter; Town of Vienna.** Updates old Code references, provides that candidates for town offices shall not be identified on the ballot by political affiliation, removes salary cap for mayor and members of council, deletes an outdated provision that allows the town clerk to serve as the clerk of the municipal court, and clarifies that the town manager need not be domiciled in the town at the time of, and for six months after, his appointment. This bill is identical to SB 1.

*Patron - Devolites*

**PHB165** **Charter; City of Fairfax.** Updates the City's boundaries.

*Patron - Petersen*

**PHB238** **Charter; City of Poquoson.** Provides for municipal elections to be held in November. This bill is identical to SB 446.

*Patron - Gear*

**PHB275** **Charter; Town of Orange.** Updates the town boundary description.

*Patron - Broman*

**PHB374** **Charter; Town of Front Royal.** Amends current penalty provisions to conform with general law.

*Patron - Athey*

**PHB401** **Charter; City of Harrisonburg.** Provides that the council may act by ordinance, resolution or motion and ratifies certain previous council acts.

*Patron - Weatherholtz*

**PHB419** **Charter; City of Manassas Park.** Deletes or updates obsolete provisions.

*Patron - Parrish*

**PHB431** **Charter; Town of Chatham.** Provides for the powers of the chief of police and police force, corrects outdated references regarding election dates, provides that the mayor and council members may receive an annual salary not to exceed \$1,200 and \$600, respectively, states that the town clerk shall serve at the pleasure of the council and deletes numerous outdated provisions. This bill is identical to SB 285.

*Patron - Hurt*

**PHB552** **Charter; Town of Herndon.** Provides that candidates for town council shall not be identified on the ballot by political affiliation. The bill also requires candidates to be nominated by petition. This bill is identical to SB 99.

*Patron - Rust*

**PHB611** **Charter; Town of Cape Charles.** Changes council terms from two-year terms to four-year staggered terms. Other charter amendments (i) update the town boundaries, (ii) correct several outdated Code references, (iii) clarify the duties of the town manager and the town treasurer, (iv) state that the police force shall be under the control of the chief of police, (v) give the Town the power to engage in revenue-generating activities not prohibited by the laws of the Commonwealth and (vi) repeal provisions related to a public school system for the Town. The bill contains an emergency clause.

*Patron - Bloxom*

**PHB612** **Charter; Town of Exmore.** Repeals the current charter for the town, which contains many outdated provisions, and grants a new charter containing powers traditionally given to towns. The terms of council members will change from two-year terms to four-year staggered terms. The emergency clause will allow such change to take place beginning in May 2002.

*Patron - Bloxom*

**PHB660** **Charter; Town of Purcellville.** Provides that closed meetings of the council shall be held in accordance with general law. Other amendments to the charter will grant the Town all powers conferred on municipalities by the Code of Virginia, provide that compensation for council members and employees shall be set by the council, eliminate the residency requirement for the public works superintendent, wastewater

treatment plant superintendent and the water plant superintendent, delete provisions requiring council consent prior to hiring and firing employees, and delete outdated references regarding the commissioner of revenue.

*Patron - May*

**PHB661** **Charter; Town of Leesburg.** Eliminates the requirement that the town council offer advice and consent on the town manager's appointment of the director of finance.

*Patron - May*

**PHB916** **Charter; Chesterfield County.** Eliminates duplicate zoning review for certain public projects.

*Patron - Marrs*

**PSB1** **Charter; Town of Vienna.** Updates old code references, provides that candidates for town offices shall not be identified on the ballot by political affiliation, removes salary cap for mayor and members of council, deletes an outdated provision that allows the town clerk to serve as the clerk of the municipal court, and clarifies that the town manager need not be domiciled in the town at the time of, and for six months after, his appointment. This bill is identical to HB 24.

*Patron - Howell*

**PSB99** **Charter; Town of Herndon.** Provides that candidates for town council shall not be identified on the ballot by political affiliation. The bill also requires candidates to be nominated by petition. HB 552 is identical to this bill.

*Patron - Howell*

**PSB220** **Charter; City of Alexandria.** Allows the City to alter from between seven and nine the number of members comprising the board of directors of the Alexandria Redevelopment and Housing Authority. An additional charter amendment will clarify when the organizational meeting of a newly elected council will be held.

*Patron - Ticer*

**PSB284** **Charter; Town of Brookneal.** Changes the date of the Town's municipal elections from May to November. The bill provides for an emergency enactment.

*Patron - Hawkins*

**PSB285** **Charter; Town of Chatham.** Provides for the powers of the chief of police and police force, corrects outdated references regarding election dates, provides that the mayor and council members may receive an annual salary not to exceed \$1,200 and \$600, respectively, states that the town clerk shall serve at the pleasure of the council and deletes numerous outdated provisions. The bill provides for an emergency enactment. This bill is identical to HB 431.

*Patron - Hawkins*

**PSB345** **Charter; Town of Clifton Forge.** Repeals the charter of the former City of Clifton Forge and grants a new charter to the Town of Clifton Forge. The charter grants powers typically found in municipal charters and continues the council for the former city as the council for the new town.

*Patron - Trumbo*

**PSB446** **Charter; City of Poquoson.** Provides for municipal elections to be held in November. This bill is identical to HB 238.

*Patron - Williams*

**PSB496** **Charter; City of Roanoke.** Extensively updates and reorganizes the City's charter. Substantive changes include (i) conforming penalties with amounts permitted by state law, (ii) requiring certain city officers to live within the

city limits within three months of their election, and (iii) increasing the number of members on the board of zoning appeals from five to seven.

*Patron - Edwards*

## Failed

**FHB171 Charter; City of Roanoke.** Extensively updates and reorganizes the City's charter. Substantive changes include (i) conforming penalties with amounts permitted by state law, (ii) requiring certain city officers to live within the city limits within three months of their election, (iii) modifying the method of making modifications to city contracts, and (iv) increasing the number of members on the board of zoning appeals from five to seven.

*Patron - Woodrum*

**FHB379 Charter; City of Charlottesville.** Allows the City, in accordance with the provisions of general law, to hold its municipal elections in November.

*Patron - Van Yahres*

**FHB992 Charter; Town of Boykins.** Deletes outdated provisions from the Town's charter.

*Patron - Council*

## Study Resolutions

### Passed

**PHJ5 Medicaid; transfer of assets, land-use assessments, and eligibility for Medicaid.** Requests the Department of Medical Assistance Services to examine its transfer of assets rule as such rule relates to land-use assessments and eligibility for Medicaid. This resolution notes that Medicaid requires that applications for eligibility be reviewed to determine whether property has been transferred for less than the full assessed value or meets a federal exception to this rule. Further, a penalty period is calculated if the applicant has sold or otherwise transferred property for less than its full assessed value. In areas where land-use valuations are the standard, this rule has the unfortunate result of making it difficult for rural property owners with farm or other land-use property to maintain the current land use and contributes to increases in urban sprawl. The Department of Medical Assistance Services is requested to identify various designs for allowing land-use assessments to be substituted for fair market value under specific circumstances that will require, as a condition of Medicaid eligibility, current owners to preserve the land-use of their property for at least a period of 10 years beyond the transfer, restrain urban sprawl, and sustain rural family land use businesses. The Department, within the parameters of federal requirements, shall consider the feasibility of a revised methodology for determining the fair market value of property in areas applying land-use assessments in relationship to transfer of assets and eligibility for Medicaid long-term care. The Department must complete its work and submit a final report to the Governor and the 2003 Session of the General Assembly.

*Patron - Orrock*

**PHJ20 Commission on reform of educational leadership.** Creates a two-year, 21-member commission to review, study and reform educational leadership. In conducting its study, the commission shall, among other things, (i) evaluate the policy environment for educational leadership; (ii) propose necessary statutory amendments or changes based on research,

surveys, analysis and review of pertinent laws, guidelines, policies, regulations and practices; (iii) communicate regularly to the Board of Education any relevant findings with recommendations for needed regulatory action; and (iv) provide a forum for educational leaders to report to the commission the challenges of, and impact on, their work. The Commission must submit an interim report to the Governor and the 2003 Session of the General Assembly, and submit its final report to the Governor and the 2004 Session of the General Assembly. This resolution incorporates HJR 147 and is identical to SJR 58.

*Patron - Hamilton*

**PHJ23 Crashes involving trucks and other large vehicles stopped on highways.** Requests the Crash Investigation Team of Virginia Commonwealth University's Transportation Safety Training Center and the Virginia Transportation Research Council to study why other motorists collide with trucks and other large vehicles stopped on the roadways and shoulders of highways and make recommendations as to how the frequency and severity of such crashes may be reduced. The Council must report its findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Marshall, R.G.*

**PHJ31 State and Local Government Conflict of Interests Act.** Establishes a joint subcommittee to review the State and Local Government Conflict of Interests Act. In the study, the joint subcommittee shall review (i) the definitions of "personal interest in a transaction" and "personal interest in a contract", (ii) requirements for filing disclosure statements, (iii) rules regarding the disqualification of officials and employees from participating in a transaction when a conflict exists, and (iv) any other areas of confusion or inconsistency in terms of Act application. The joint subcommittee must report its findings and recommendations to the Governor and the 2003 Session of the General Assembly. This resolution incorporates HJR 61.

*Patron - Marshall, R.G.*

**PHJ32 Magistrates.** Requests the Committee on District Courts of the Supreme Court of Virginia to study the magistrate system in Virginia. In conducting the study, the Committee shall review the laws and administrative policies governing the selection, training, oversight and evaluation of magistrates to ensure that magistrates have a basic competency in law and court procedures that is uniform and consistent across the Commonwealth. The Committee shall also review magistrate policies and operations within judicial circuits to ensure that there is accountability for the actions of magistrates, and that there is a uniform statewide system for taking and resolving complaints and inquiries about the actions of magistrates, particularly in the decision-making process used for determining bail and setting bond in domestic and family violence cases. The Committee must report its findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Sherwood*

**PHJ34 Best practices in public school operations.** Directs the Joint Legislative Audit and Review Commission to examine best administrative, fiscal, and service practices in the Commonwealth's public school divisions. In conducting the study, the Commission shall select from among the several school divisions, a sample that is representative of urban, suburban, and rural school divisions in the Commonwealth. The Commission shall also (i) consider, among other things, the work of the Commission on Efficiency in the Use of Public School Funds; (ii) identify those programs and services that might be consolidated, are not achieving their intended purpose, or for which the mission is no longer relevant or discern-

ible; (iii) identify those services, such as transportation, maintenance, food service, and other initiatives that might be effectively out-sourced; and (iv) develop recommendations regarding revenue-saving initiatives and practices. The Commission must submit an interim report to the Governor and the 2003 Session of the General Assembly, and must submit its final written findings and recommendations to the Governor and the 2004 Session of the General Assembly.

*Patron - Lingamfelter*

**PHJ37 Epidemiological survey of elderly patients in long-term care facilities.** Continues the epidemiological survey of the elderly population in Virginia's long-term care facilities to develop a screening methodology that will identify patients with suspected Normal Pressure Hydrocephalus (NPH) who could benefit from medical therapy.

*Patron - Hargrove*

**PHJ44 Funding for nonstate agencies.** Establishes a joint subcommittee to study alternative funding sources for nonstate agencies. In conducting its study, the joint subcommittee shall (i) catalog and distribute information regarding alternative sources of funding and (ii) recommend ways in which nonstate agencies may strengthen their respective boards, such as how to select qualified board members, provide training for members of the boards of directors, improve the board's fund-raising expertise, and determine the need to employ a person with expertise in planning and development and fund-raising. The joint subcommittee must report its findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - O'Bannon*

**PHJ60 Revision of state tax code.** Continues a joint subcommittee that began to examine the revision of the state tax code. In continuing its work, the joint subcommittee shall (i) continue the work it began in 2001; (ii) ensure that Virginia's tax code is fair, uniform, understandable, and contemporary; (iii) examine the report and recommendations of the Commission on Virginia's State and Local Tax Structure for the 21st Century; (iv) seek broad input from all levels of government, the private sector, and citizens concerning the sufficiency of the Commonwealth's current tax system; (v) consider the necessity and sufficiency of current taxes, fees, deductions and credits as well as the rates of taxation; (vi) consider current revenue capacity of localities and the sufficiency of their revenue tools; (vii) examine the number and costs of tax preferences including income tax subtractions, deductions and exemptions, and income tax credits currently in the tax code; (viii) estimate the loss in sales tax due to electronic commerce; (ix) evaluate the real estate assessment appeals process, the need for any changes to the process, and the effect that such changes would have on taxpayers and local governments; (x) consider the long-term effect on the Commonwealth's revenues from the phase-out of the personal property tax; (xi) evaluate the appropriateness of the merchants' capital tax and the business, professional and occupational license tax; (xii) consider a plan to more equitably address tax preferences and rates for personal and business income taxes; (xiii) determine the equitable division of support to be assumed by the state and localities for education and mandated services in light of the reforms recommended by the Commission; and (xiv) review the current method of imposing taxes on farm real estate and alternative methods for imposing farm real estate taxes, including the feasibility of replacing the current method with a tax on the value of what is produced by farms. The joint subcommittee shall submit its written findings and recommendations to the Virginia Code Commission, and to the Governor and the

2003 Session of the General Assembly. This resolution incorporates HJR 150.

*Patron - McDonnell*

**PHJ73 Department of Taxation to collect information pertaining to the methods utilized for approving and administering sales and use tax exemption by the States of Maryland and North Carolina.** Requests the Department of Taxation to collect information pertaining to the methods utilized for approving and administering sales and use tax exemptions by the States of Maryland and North Carolina. Specifically, the Department is requested to collect information on each state's procedures for (i) granting sales and use tax exemptions, (ii) issuing certificates or letters of exemption, (iii) ensuring proper use of such certificates, and (iv) dealing with the administration of the program. The Department shall primarily seek information pertaining to tax exemptions for non-profit organizations but any information concerning other organizations' exemptions that would assist the General Assembly in policy decisions regarding sales and use tax exemptions should also be obtained. The Department of Taxation shall provide no later than August 1, 2002, the information it has collected to the joint subcommittee to study and revise Virginia's state tax code, for inclusion in the joint subcommittee's report of its findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Parrish*

**PHJ76 Guardians ad litem.** Establishes a joint subcommittee to study the effectiveness and costs of the guardian ad litem program. In conducting its study, the joint subcommittee shall (i) review the role and authority of guardians ad litem throughout the Commonwealth; (ii) ascertain whether the guardian ad litem functions and duties have become more judicial than originally intended; (iii) determine whether courts are delegating decision-making authority to guardians ad litem over issues, such as visitation and counseling, that the Legislature never anticipated; (iv) determine whether or not fees should be limited or whether standardization of the guardian ad litem program is warranted to facilitate consistency, or both; and (v) consider such other related matters as the joint subcommittee may deem necessary to the furtherance of its work. The joint subcommittee must report its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Griffith*

**PHJ88 Incentives to commercialize research and development.** Requests the Secretary of Technology, in cooperation with the Center for Innovative Technology and the Virginia Research and Technology Advisory Commission, to recommend incentives necessary to encourage the commercialization of university research and development. The Secretary must report his written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Devolites*

**PHJ89 Court files.** Establishes a joint subcommittee to study protection of information contained in the records, documents and cases filed in the courts of the Commonwealth. The joint subcommittee shall submit its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Devolites*

**PHJ90 Prescription drugs.** Continues the Joint Commission on Prescription Drug Assistance. In continuing its deliberations, the joint subcommittee shall consider (i) the feasibility of strengthening the Commonwealth's pharmacy purchasing ability for state programs, (ii) using the savings



generated to create and fund a pharmacy benefits program for low-income and uninsured elderly persons, such as lowering the cost of existing pharmacy benefit programs for which state general funds are expended by consolidating pharmacy purchases, and (iii) pursuing cooperative arrangements with other states to pool pharmacy purchases. The Commission shall report its written findings and recommendations to the Governor and the 2003 Session of the General Assembly. This resolution incorporates HJR 129.

*Patron - Jones, S.C.*

**PHJ91 Independent school evaluation services.** Creates a joint subcommittee to study the use of independent educational performance assessment services. In conducting the study, the joint subcommittee shall consider, among other things, the use of Standard and Poor's School Evaluation Services (SES) in other states, ongoing school accountability efforts within the Commonwealth, the feasibility and appropriateness of implementing an independent school evaluation service within Virginia, and such other issues as it deems necessary. The joint subcommittee shall report its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Byron*

**PHJ94 Indigent defense commission.** Directs the Virginia State Crime Commission to establish an indigent defense study committee to study and examine whether the establishment of a statewide indigent defense commission would improve the quality and efficiency of the Commonwealth's indigent defense services. The Crime Commission must report his written findings and recommendations to the Governor and the 2004 Session of the General Assembly. This resolution is identical to SJR 43.

*Patron - Kilgore*

**PHJ118 Future of Virginia's Environment.** Continues the Commission Studying the Future of Virginia's Environment. In conducting its study, the Commission shall continue to monitor the implementation of its recommendations and create opportunities for the members of the Commission to become educated on environmental issues that may require legislative action. This resolution is identical to SJR 117.

*Patron - Cox*

**PHJ122 Collection of data pertaining to the prevalence of methylphenidate and amphetamine prescriptions in the Commonwealth.** Requests the Department of Health to collect data to determine the prevalence of methylphenidate and amphetamine prescriptions in the Commonwealth. In collecting the data, the Department shall confer with the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Education, the Board of Pharmacy, the Board of Medicine, and the Virginia Chapter of the American Academy of Pediatricians. The Department shall review existing health and prescription databases, obtain information accessible pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and federal laws and regulations, and may contract for services with appropriate private research organizations for services to facilitate the collection of necessary data. The Department shall submit a copy of its findings regarding data collected on the prevalence of methylphenidate and amphetamine prescriptions for school age children in the Commonwealth, pursuant to this resolution, with the Division of Legislative Services, no later than November 30, 2003. This resolution is a recommendation of the HJR 660 Joint Subcommittee to Investigate the Improper Prescription and Illegal Use and Diversion of Ritalin and OxyContin

and to Study the Effects of Attention Deficit Hyperactivity Disorder on Student Performance.

*Patron - Tata*

**PHJ124 Economic development for economically stressed communities.** Requests the Department of Business Assistance and the Virginia Economic Development Partnership to redouble their efforts to enhance the growth and prosperity of economically stressed communities in the Commonwealth.

*Patron - Armstrong*

**PHJ142 Treatment Needs of Offenders with Mental Illness or Substance Abuse Disorders.** Continues the study of certain mental health needs, training, and treatment issues begun by Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders, under the auspices of the Joint Commission on Behavioral Health Care, the Virginia State Crime Commission and the Commission on Youth. The resolution also requests certain Secretaries and state agencies to provide information or commence specific action related to such issues. Specifically, the resolution requests the (i) Secretary of Public Safety, in conjunction with the Secretary of Health and Human Resources and the Secretary of Administration to evaluate the effectiveness of treatment services provided to and needed by state responsible offenders; (ii) the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services to examine access to medications and the management of medications for released offenders; (iii) the Office of the Executive Secretary of the Supreme Court to examine the development of a model court order that addresses mental health services; (iv) the Department of Mental Health, Mental Retardation and Substance Abuse Services to explore ways to communicate information to offenders about innovative practices among providers of mental health and substance abuse treatment services; (v) the Department of Medical Assistance Services, in conjunction with the Department of Corrections and the Department of Juvenile Justice, to examine the accessibility to Medicaid benefits by eligible offenders immediately upon their release; (vi) the Department of Juvenile Justice to design and implement a uniform mental health screening instrument for juvenile offenders admitted to secure detention facilities and the feasibility of implementing a uniform screening and interview process for pre-dispositional investigations; and (vii) the Department of Mental Health, Mental Retardation and Substance Abuse Services, in conjunction with the Office of the Executive Secretary of the Virginia Supreme Court, the Department of Criminal Justice Services and the Department of Juvenile Justice to develop and recommend ways to implement a curriculum for cross-training law-enforcement officers, judges, jail and detention home staff, and community mental health treatment staff in security and treatment services. All agencies must report their findings and recommendations to the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders by September 30, 2002. The Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders shall report its written findings and recommendations, including the reports of the Secretaries and state agencies referenced herein, to the Governor and the 2004 Session of the General Assembly. The resolution is the recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution incorporates HJR 84, HJR 121, HJR 140, HJR 14, SJR 83, SJR 84, SJR 95, SJR 96, SJR 97, SJR 100, and SJR 101, as amended. This resolution is identical to SJR 97 as passed.

*Patron - Weatherholtz*

**PHJ156 Growth and Economic Development.** Continues the Commission on Growth and Economic Development. In conducting its study, the Commission shall continue to encourage the participation of all interested groups, organizations and individuals, including those associated with local governments, business interests, the development community, and environmental causes. Issues to be examined by the Commission may include: (i) the need for new or additional funding for programs such as the Derelict Structure Fund, the Weed and Seed Program, Housing Revitalization Zone Program, Urban Public-Private Partnership Redevelopment Fund, housing tax credits, public transportation needs, brownfields site assessment, Agricultural Vitality Program and state and local important soil surveys; (ii) the need for a dedicated source of funding to preserve open space; (iii) a study of the local government tax authority and structure to determine what may be a hindrance to preserving open space; (iv) the creation of a statewide housing policy to address issues such as homeownership trends, barriers to homeownership, and the need for local government accommodation of the housing needs of the entire spectrum of potential home buyers; (v) reform of VDOT funding methods, including increased flexibility to localities in the use of state street maintenance and construction funding; (vi) changes to VDOT minimum street width standards to allow greater local flexibility; (vii) enhancement of the use of various state tax credits and development of a tax credit program for brownfields; (viii) issues surrounding the leasing versus purchasing of educational facilities; (ix) issues related to local revenue shortfalls including proposals to return a portion of future growth in state income tax revenue and use of the referendum process to allow citizens to determine whether a locality should adopt new local taxes to address such shortfalls; and (x) methods for addressing the state transportation funding shortfall. The Commission must report its interim findings and recommendations to the Governor and the 2003 Session of the General Assembly, and must submit its written final report to the Governor and the 2004 Session of the General Assembly.

*Patron - Hall*

**PHJ159 Existing agencies.** Establishes a joint subcommittee to study the operations, practices, duties, and funding of the Commonwealth's boards, commissions, councils and other governmental entities in the legislative and executive branches. The joint subcommittee shall (i) examine the history, budget, and current activities of each governmental entity; (ii) determine whether critical functions are being performed as efficiently and cost-effectively as possible; (iii) identify duplicative functions and activities; (iv) determine whether the entity is funded at appropriate levels; (v) compare and evaluate the entity's work and results with its stated statutory mission; and (vi) make recommendations for consolidation, elimination, reduction, or increase of activities and funding of each entity based upon the review. This resolution incorporates HJR 125 and HJR 154.

*Patron - McDonnell*

**PHJ162 Continuing the Rural Virginia Prosperity Commission for the purpose of establishing the Center for Rural Virginia.** Continues the Commission for the purpose of establishing the Center for Rural Virginia. The Commission shall monitor the Center's implementation of the Commission's recommendations, including those related to (i) capital access for rural areas, (ii) adult education and workforce enhancement, (iii) the digital economy, (iv) incentives for economic and rural development, (v) infrastructure, (vi) K-12 education, and (vii) primary industries. In addition, the Commission shall assist the Center in exploring the numerous issues considered by the Commission but requiring further study. The Commission must submit an interim report of its

findings and recommendations to the Governor and the 2003 Session of the General Assembly, and its written final report to the Governor and the 2004 Session of the General Assembly.

*Patron - Hogan*

**PHJ163 Advancing affordable, high-bandwidth electronic networks in rural Virginia.** Requests the Center for Innovative Technology and the Secretary of Technology to study the means for advancing affordable, high-bandwidth electronic networks in rural Virginia. The Center for Innovative Technology and the Secretary of Technology shall coordinate meetings with public and private stakeholders to achieve the following goals: (i) evaluate the present state and need for new infrastructure in rural Virginia to fill strategic gaps in present commercial networks and coordinate plans to fill the gaps; (ii) set bandwidth goals with a timetable for achieving the goals; and (iii) encourage private development and, where necessary, facilitate the extension of advanced networks throughout the state to serve rural counties, cities and towns with affordable, high-bandwidth connections for businesses, local governments, education, health care and citizens. The Center for Innovative Technology and the Secretary of Technology shall further recommend a means or criteria by which areas that are not sufficiently served by the private sector at minimally-established data rates, be permitted to create public-private partnerships to provide the necessary services or, alternatively, to create the necessary services themselves with such services to be offered to the private sector at fair market value at the appropriate time. The Center for Innovative Technology and the Secretary of Technology shall coordinate their work with the Tobacco Commission and the E-58 project. The Center for Innovative Technology and the Secretary of Technology shall report their written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Saxman*

**PHJ166 Early and Periodic Screening, Diagnosis and Treatment.** Requests the Department of Medical Assistance Services to continue its efforts to provide information to physicians and mental health providers about the comprehensive services available through the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) component of the Medicaid program. The Department must report its progress to the Commission on Youth by November 30, 2002 and to the Governor and the 2003 Session of the General Assembly.

*Patron - Darner*

**PHJ170 Continuing the Commission on Access and Diversity in Higher Education.** Continues the Commission on Access and Diversity in Higher Education. The Commission is directed to continue its work on objectives pertaining to the supply and demand of classroom teachers, closing the academic achievement gap, the Virginia Plan for Equal Opportunity in State-Supported Institutions of Higher Education, the diversity of faculty and staff at public colleges and universities, campus climate, admission and retention rates of minority students, related socioeconomic, political and legal issues that the Commission has been directed to address to ensure equal education opportunity for all students, and such other related issues as the Commission may deem appropriate. The Commission shall also collaborate and work cooperatively with relevant state agencies and representatives of the U.S. Department of Education Office for Civil Rights, acting as liaison between the General Assembly and OCR, during the monitoring and reporting phase of the implementation of the agreement between the Commonwealth and the U.S. Department of Education Office for Civil Rights. The membership of the Commission has been reduced from 15 members to ten members. The Commission must submit its written findings and recommendations to the Governor and the 2004 Session of

the General Assembly. This resolution is a recommendation of the Commission on Access and Diversity in Higher Education.

*Patron - Jones, J.C.*

**PHJ201 Bail bondsmen.** Directs the Virginia State Crime Commission to study certain issues pertaining to bail bondsmen, bounty hunters, and bond payment to the court. In conducting the study, the Commission shall (i) determine the need for regulation, training and oversight of bail bondsmen and bounty hunters; (ii) examine the feasibility and methods of providing for a percentage of bond payment to the court; and (iii) determine whether the certification and supervision of bail bondsmen and bounty hunters should be transferred from the judicial branch to the executive branch of state government. The Commission shall, at a minimum, solicit input and assistance from representatives of the Department of Criminal Justice Services, the Office of the Executive Secretary of the Supreme Court, and local pretrial services agencies. The Commission must report its findings and recommendations to the Governor and the 2003 Session of the General Assembly. This resolution incorporates HJR 62, HJR 63, and HJR 93.

*Patron - Melvin*

**PHJ202 State water policies.** Directs the State Water Commission to conduct a two-year study of the effectiveness of the Commonwealth's water policies. In conducting the study, the State Water Commission shall examine (i) Virginia's current water laws and policies; (ii) the adequacy of such laws and policies in providing adequate water supplies; (iii) the role the state should play in data collection, water supply planning, water allocation, dispute resolution, and water development; and (iv) the role of the state in watershed planning to provide quality raw water, both surface and groundwater, for water supplies. The Commission must report its written findings and recommendations to the Governor and the 2004 Session of the General Assembly.

*Patron - Landes*

**PHJ206 Commercialization of intellectual property; Seed capital and angel investor.** Requests the Secretary of Technology, in conjunction with the Secretary of Commerce and Trade, to establish a task force to study best practices for assisting the development of technology-based businesses that will produce jobs and other economic benefits throughout the Commonwealth. The task force shall (i) focus on best practices designed to assist in the development of a business environment and infrastructure conducive to the discovery and commercialization of new technologies and the development and growth of technology-based businesses throughout the Commonwealth; (ii) review existing initiatives in other states, including best practices being defined and followed in those states; (iii) seek the voluntary participation of representatives of the House of Delegates and Senate of Virginia, Virginia-based technology businesses, Virginia-based investors, and Virginia's institutions of higher education; and (iv) submit periodic progress reports to the Joint Commission on Technology and Science (JCOTS) and a final progress report in time for JCOTS to finalize its legislative recommendations for the 2003 Session of the General Assembly. The task force must submit its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Nixon*

**PHJ209 Local taxation of the entire telecommunications industry and its customers.** Establishes a joint subcommittee to study the local taxes imposed on the entire telecommunications industry and its customers within the Commonwealth. The joint subcommittee shall examine local taxes imposed on the telecommunications industry to ensure that the taxes imposed on this complex industry are fair and

equitable to all elements of the telecommunications industry, and its customers, and are relatively easy to administer and collect. The joint subcommittee must submit its written findings and recommendations no later than August 1, 2002, to the joint subcommittee established to study and revise Virginia's state tax code, and to the Governor and the 2003 Session of the General Assembly.

*Patron - Bryant*

**PHJ210 Future of the Chesapeake Bay Bridge Tunnel.** Requests the Joint Legislative Audit and Review Commission to study the future of the Chesapeake Bay Bridge Tunnel. In conducting its study, the Joint Legislative Audit and Review Commission shall examine the findings of all recent studies relative to the Chesapeake Bay Bridge and Tunnel and issue recommendations regarding the appropriate state role in determining the future of the CBBT. In its examination, the Commission shall pay attention to the: (i) appropriate role for the CBBT in the economic growth and development generally in the Commonwealth and especially on the Eastern Shore; (ii) appropriate toll structure to ensure proper maintenance, sustain CBBT operations, meet debt obligations, and plan for needed capital improvements; and (iii) efficiency and efficacy of overall Commission management policy, practices, salary structure, and operations.

*Patron - Bloxom*

**PHJ211 Implementation of recommendations of the Joint Legislative Audit and Review Commission (JLARC) on aspects of Virginia's transportation programs.** Establishes a joint subcommittee to study the implementation of recommendations of the Joint Legislative Audit and Review Commission on aspects of Virginia's transportation programs, and the efficacy of transferring certain responsibilities of the Virginia Department of Transportation and local governments. In conducting the study, the joint subcommittee shall also determine (i) the level of responsibility that the Department of Transportation should bear for the maintenance of roads in private developments; (ii) the desirability and feasibility of shifting the primary responsibility for mass transit programs in Northern Virginia from local governments to the Department of Transportation; and (iii) the desirability and feasibility of shifting the primary responsibility for construction and maintenance of secondary roads from the Department of Transportation to local governments. The work of the joint subcommittee shall be assisted by a technical advisory committee, appointed by the chairman, to address the highway classification and allocation recommendations made by JLARC. The technical advisory committee shall include, but not be limited to, representatives of the Virginia Department of Transportation (VDOT); a representative of the Virginia Department of Rail and Public Transportation; staff to the Commonwealth's metropolitan planning organizations; local government representatives having experience with the transportation needs of rural, suburban, and urban areas; representatives of AAA of Virginia, the highway construction industry, and environmental organizations; and interested citizens. Members of the Technical Advisory Committee shall serve without compensation and voting privileges. The joint subcommittee must report its written findings and recommendations to the Governor and the 2004 Session of the General Assembly. This resolution incorporates HJR 97.

*Patron - Callahan*

**PHJ215 Sentencing of misdemeanor crimes.** Directs the Virginia State Crime Commission to study the sentencing of misdemeanor crimes. The Commission shall give particular attention to (i) the sentences imposed by judges and juries in misdemeanor cases; (ii) the length of time actually served by defendants given jail sentences; and (iii) any differences that

result from variations based on the type of jail authority (single county or regional) and geographical location. The Commission must report its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Bell*

**PHJ219 Medicaid Buy-In program.** Requests the Department of Medical Assistance Services, in collaboration with the Department of Rehabilitative Services and the Department for Rights of Virginians with Disabilities, or its successor in interest, to proceed with the development of Medicaid Buy-In opportunity for working Virginians with disabilities. In developing the opportunity, the Department of Medical Assistance Services must utilize the Medicaid Infrastructure grant to identify the steps needed to implement an effective Medicaid Buy-In Program for Virginia, with the goal of utilizing data to develop initial legislation and budgetary recommendations that will be necessary to implement the Buy-In. The Department must report its written findings and recommendations to the Governor and the 2003 Session of the General Assembly. This resolution is a recommendation of the Disability Commission and is identical to SJR 128.

*Patron - Van Landingham*

**PHJ236 Housing for persons with disabilities.** Encourages the Virginia Disability Commission to make the identification of improved housing opportunities for citizens with disabilities its top priority for the 2002-2003 interim session and to facilitate collaboration among stakeholders to develop recommendations for strengthening intergovernmental and interagency coordination of housing programs for people with disabilities. The Commission is requested to expand its work group to include the participation and involvement of all federal, state, local and community agencies, organizations and individuals concerned about housing for people with disabilities. In addition, the Commission and its work group are encouraged to develop a Housing Action Plan that (i) identifies the mission, composition, responsibilities, and funding for an intergovernmental, interagency coordinating body on housing and disability issues; (ii) identifies actionable strategies consistent with the mission and responsibilities of state housing agencies for the maximizing use of Section 8 programs and other federal housing and housing production programs for individuals with disabilities in Virginia; and (iii) develops a system of incentives and rewards for building accessible housing. The Commission is also encouraged to make use of existing research and presentation opportunities, including the annual state housing conference, to bring about optimal statewide attention to the housing needs of people with disabilities and available federal opportunities. This resolution is identical to HJR 251.

*Patron - Van Landingham*

**PHJ255 Conservation of open space.** Requests the Secretary of Natural Resources to examine options for providing a stable source of funding for conservation of open space, including options for additional grant support and public-private partnerships, and other issues as may seem appropriate regarding land conservation. This resolution is identical to SJR 159.

*Patron - Bryant*

**PSJ33 Relocation of state government functions.** Requests the Secure Virginia Panel, pursuant to Executive Order 7 (2002), to study the feasibility of relocating state government functions and agencies to enhance safety and security. In conducting the study, the Secure Virginia Panel shall examine state facilities and operations to determine which facilities and operations may be relocated based on the following factors: (i) enhancement to safety and security, (ii) disruption in

state services that may be caused by relocation, (iii) potential relocation costs, and (iv) potential economic impact of relocation.

*Patron - Marye*

**PSJ35 Virginia-North Carolina Interstate High-Speed Rail Commission.** Extends the mandate of the Virginia-North Carolina Interstate High-Speed Rail Commission for two additional years, with a final report to the Governor and the 2005 Session of the General Assembly. The Virginia delegation to the joint panel consists of eight members, four members of the Senate and four members of the House of Delegates.

*Patron - Watkins*

**PSJ43 Indigent defense commission.** Directs the Virginia State Crime Commission to establish an indigent defense study committee to study and examine whether the establishment of a statewide indigent defense commission would improve the quality and efficiency of the Commonwealth's indigent defense services. The Commission must submit its report to the Governor and the 2003 Session of the General Assembly. This resolution is identical to HJR 94.

*Patron - Stolle*

**PSJ45 Regulatory responsibilities, policies, and activities of the State Corporation Commission.** Continues the joint subcommittee to study the regulatory responsibilities, policies, and activities of the State Corporation Commission. The joint subcommittee shall complete its objectives pursuant to Senate Joint Resolution 173 (2000) and House Joint Resolution 187 (2000). The joint subcommittee must submit its report to the Governor and the 2003 Session of the General Assembly.

*Patron - Normant*

**PSJ57 Commission on Educational Accountability.** Continues the Commission on Educational Accountability. Initially created in 1999 pursuant to SJR 498 and continued in 2000 pursuant to SJR 385, the Commission examined recent legislative actions addressing multiple criteria for school accreditation, graduation, and promotion and retention; the effectiveness of remediation efforts and year-round schools; test security procedures; the efforts of academic review teams in assisting schools accredited with warning; and recent developments in career and technical education in 2001. Senate Joint Resolution 13, which provided for an examination of the feasibility and appropriateness of providing universal, voluntary education for four-year olds, and Senate Joint Resolution 75, which proposed a study regarding the recruitment and retention of classroom teachers, were informally forwarded to the Commission on Educational Accountability. The Commission is to report to the Governor and the 2003 Session of the General Assembly.

*Patron - Hanger*

**PSJ58 Commission on reform of educational leadership.** Creates a 21-member commission to review, study and reform educational leadership. In conducting its study, the commission shall, among other things, (i) evaluate the policy environment for educational leadership; (ii) propose necessary statutory amendments or changes based on research, surveys, analysis and review of pertinent laws, guidelines, policies, regulations and practices; (iii) communicate regularly to the Board of Education any relevant findings with recommendations for needed regulatory action; and (iv) provide a forum for educational leaders to report to the commission the challenges and the effect of their work. This resolution is identical to HJR 20. The Commission must submit an interim report to the Governor and the 2003 Session of the General Assembly. The Com-

mission's final report must be submitted to the Governor and the 2004 Session of the General Assembly.

*Patron - Hanger*

**PSJ64 Transit service for the U.S. 1 corridor.** Encourages the Department of Rail and Public Transportation to work towards the development of a U.S. Route 1 Corridor Transit Plan. Specifically, the Department is requested to work with VDOT, Fairfax County, Prince William County, the Washington Metropolitan Area Transit Authority, the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, the Ft. Belvoir Army Base, and the Quantico Marine Corps Base, towards developing a plan for short- and long-term transit improvements in the Route 1 Corridor, including advanced traffic signal technologies, and specific implementation timetables and funding options.

*Patron - Puller*

**PSJ66 Lead-poisoning prevention.** Continues the Joint Subcommittee Studying Lead-Poisoning Prevention. The joint subcommittee is directed to (i) continue working on a blueprint for consumers regarding lead programs; (ii) stimulate the development of a needed secure system for patient data sharing between relevant state agencies in order to ameliorate concerns about compliance with certain new federal regulations; and (iii) provide written support for the state grant application efforts, as appropriate. The joint subcommittee must submit its report to the Governor and the 2003 Session of the General Assembly.

*Patron - Lambert*

**PSJ69 Special conservators of the peace and special police.** Directs the Virginia State Crime Commission to study special conservators of the peace and special police. The study shall include, but not be limited to, (i) the chronicity and rationale for current appointments of conservators and special police officers statewide, (ii) training needs of appointees to ensure understanding of constitutional and criminal law, (iii) proper search and seizure techniques, (iv) proper manner of executing arrest, and (v) personal safety concerns and issues when exercising conservator powers.

*Patron - Norment*

**PSJ77 Services provided by out-of-network health care providers in certain Virginia localities.** Requests the Department of Human Resource Management and the Secretary of Administration to study issues relating to services provided by out-of-network health care providers in certain localities. This resolution calls for an examination of (i) the availability of participating specialty physician and hospital care in rural or sparsely populated areas of the Commonwealth that are located on or near the state line; (ii) ways to resolve patients' financial concerns about accessing available specialty physician and hospital care, particularly, in rural Virginia areas with shortages of health care providers and in state-line jurisdictions; (iii) the feasibility of providing an exception from the pre-approval rule for special circumstances that do not rise to the level of a life-threatening emergency but are exigent medical necessities for patients living in localities near the state line; (iv) the feasibility of contracting with out-of-state physicians and hospitals that are located in close proximity to the Virginia state line; (v) the possibility of providing a grace period for pre-approval of out-of-network care in state-line jurisdictions under specific circumstances; and (vi) ways to improve patient knowledge and understanding of the out-of-network penalty and when it applies and physician awareness of the need for pre-approval for out-of-network care in terms of reimbursement levels. The Department and the Secretary must

submit their report to the Governor and the 2003 Session of the General Assembly.

*Patron - Puckett*

**PSJ80 Personal Electric Rapid Transit System technology.** Requests the Secretary of Transportation to study the use of Personal Electric Rapid Transit System Technology (PERTS). In conducting the study, the Secretary shall determine the desirability and feasibility of establishing (PERTS) technology, currently housed at Virginia Polytechnic Institute and State University, in an effort to decrease Virginia's highway traffic volumes through shifting occupants to the passenger rail or transit. The Secretary must submit his report to the Governor and the 2003 Session of the General Assembly.

*Patron - Edwards*

**PSJ82 Private sector sponsorship funds on government websites.** Requests the Secretary of Technology, in consultation with the Joint Commission on Technology and Science, to study and develop guidelines for the use of private sector sponsorship funds on government websites. The Secretary of Technology must submit his report to the Governor and the 2003 Session of the General Assembly.

*Patron - Newman*

**PSJ85 Paradise Creek.** Requests the Department of Conservation and Recreation to study future land use along Paradise Creek and to recommend ways the Commonwealth might participate in the development of a public park, a recreational area, and a wildlife preserve. The Department must submit its report to the Governor and the 2003 Session of the General Assembly.

*Patron - Quayle*

**PSJ87 State funding formula for educational technology and technology support personnel.** Directs the Joint Legislative Audit and Review Commission to recommend a state funding formula for educational technology and technology support personnel. In conducting this study, the Joint Legislative Audit and Review Commission shall (i) seek to place few restrictions on local school divisions except that they adhere to their locally developed technology plans; (ii) examine the possibility of expanding the high school technology resource assistant initiative to include elementary, middle, and adult education schools, (iii) recognize the state share of the costs of support staff required to maintain equipment in schools that is necessary to meet the requirements of the Standards of Quality, other state law, or the Board of Education's regulations; (iv) evaluate the feasibility of support for teacher training, including the development of an online instructional and testing program to facilitate the achievement of technological competencies and assess such proficiencies; and (v) examine the integration of the technology replacement program into such formula. In addition, the Joint Legislative Audit and Review Commission is requested to study ways to enhance the use of federal assistance for educational technology, such as continuation of the E-rate program and the implementation of state tax credits for businesses that contribute technology resources to schools. The Commission must submit its report to the Governor and the 2004 Session of the General Assembly.

*Patron - Puller*

**PSJ91 Shipbuilding industry.** Continues the Joint Subcommittee Studying Economic Incentives to Promote the Growth and Competitiveness of Virginia's Shipbuilding Industry. The joint subcommittee shall continue to examine (i) the development of a water treatment process that consistently meets Virginia's 50 parts per trillion TBT discharge standard, (ii) additional methods for providing better training to and reducing turnover among shipyard workers, and (iii) promotion

of Norfolk's piers as an original point of departure for cruise ships as a means of developing new business for Virginia's shipyard companies. The joint subcommittee must submit its written report to the Governor and the 2003 Session of the General Assembly. This resolution is identical to HJR 69.

*Patron - Norment*

**PSJ94 Hospital Bed Shortage for Mental Health Treatment.** Directs the Joint Commission on Behavioral Health Care, in conjunction with the Joint Commission on Health Care, or their successors in interest, to study and recommend long-term solutions to the shortage of inpatient psychiatric beds and the adequacy of access to outpatient mental health treatment. The Commissions must submit their report to the Governor and the 2003 Session of the General Assembly.

*Patron - Martin*

**PSJ97 Certain mental health needs, training, and treatment issues and information or action by certain Secretaries and state agencies.** Continues the study of certain mental health needs, training, and treatment issues, and requests certain Secretaries and state agencies to provide information or commence specific action related to such issues. The Secretariats and state agencies are requested to undertake studies or perform certain actions relating to (i) the evaluation of the effectiveness of treatment services provided to and needed by state responsible offenders, (ii) access to medications and the management of medications for released offenders, (iii) cross-training of law-enforcement officers, judges, jail and detention home staff, and community mental health treatment staff in security and treatment services, (iv) the development of a model court order that addresses mental health services, (v) ways to communicate information to offenders about innovative practices among providers of mental health and substance abuse treatment services, (vi) the accessibility to Medicaid benefits by eligible offenders immediately upon their release, (vii) the design and implementation of uniform mental health screening instrument for juvenile offenders admitted to secure detention facilities and the feasibility of implementing a uniform screening and interview process for pre-dispositional investigations. The resolution is the recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). The Joint Commission on Behavioral Health Care and the Virginia Commission on Youth, or their successors, must submit their report to the Governor and the 2004 Session of the General Assembly. This resolution incorporates SJR 83, SJR 84, SJR 95, SJR 96, SJR 100, and SJR 101, as amended, and is identical to HJR 142.

*Patron - Martin*

**PSJ108 Suicide prevention.** Directs the Joint Commission on Behavioral Health Care, or its successor in interest, in cooperation with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the State Health Department, to develop a plan and strategy for suicide prevention in the Commonwealth. The Commission, or its successor in interest, must submit its report to the Governor and the 2003 Session of the General Assembly.

*Patron - Mims*

**PSJ110 Driver education programs.** Requests the Department of Motor Vehicles, with the assistance of the Superintendent of Public Instruction, to study the adequacy of driver education programs available to youthful drivers. The study shall include, but not be limited to, an examination of the desirability and feasibility of incorporating driving simulators and related technologies into the driver training curricula of in-school programs and commercial driver training schools. The

Department must report to the Governor and the 2003 Session of the General Assembly.

*Patron - Mims*

**PSJ111 Housing issues.** Directs the Virginia Housing Study Commission, with the assistance of the Virginia Housing Development Authority and the Virginia Department of Housing and Community Development, to study certain housing issues. Specifically, the Commission will examine (i) strategies for increasing homeownership opportunities in the Commonwealth among minorities and new immigrants, (ii) the desirability and feasibility of reimbursement of certain litigation-related expenses in certain condemnation cases, (iii) the feasibility and appropriateness of requiring warranties or some form of insurance on new building products introduced into the housing construction market, and (iv) enforcement of fair housing laws and regulations in Virginia. The Commission must report to the Governor and the 2003 Session of the General Assembly.

*Patron - Mims*

**PSJ116 Electricity generation facilities.** Continues the study by the Legislative Transition Task Force, established under the Virginia Electric Utility Restructuring Act, concerning the procedures applicable to the construction of new electric generation facilities within the Commonwealth. The scope of the study will include an examination of the effects of emissions credit trading on the statewide cap on nitrous oxide emissions. The Task Force is directed to report its findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Norment*

**PSJ117 Future of Virginia's Environment.** Continues the Commission Studying the Future of Virginia's Environment. The Commission is directed to continue to monitor the implementation of its recommendations and create opportunities for the members of the Commission to become educated on environmental issues that may require legislative action. The Commission must submit its written findings and recommendations to the Governor and the 2003 Session of the General Assembly. This resolution is identical to HJR 118.

*Patron - Bolling*

**PSJ120 Standards of Quality.** Requests the Board of Education to revise the Standards of Quality to ensure that these statutory standards are realistic vis-a-vis the Commonwealth's current educational needs and practices. The Board is requested to (i) examine the organization and details of the Standards of Quality in relation to other statutory law governing public education in Virginia, the Commonwealth's Appropriation Act, and the Board's regulations on school accreditation, (ii) identify current provisions of the Standards of Quality that would be more appropriately included in other law or regulation and vice versa; (iii) prescribe provisions that more accurately reflect the efforts of Virginia's school divisions; and (iv) identify any funding provided outside the Standards of Quality framework that might be used to provide part or all of the funding to support any such revised provisions. The Board must report its findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Marye*

**PSJ128 Medicaid Buy-In opportunity.** Requests the Department of Medical Assistance Services, in collaboration with the Department of Rehabilitative Services and the Department for the Rights of Virginians with Disabilities, or its successor in interest, to proceed with the development of Medicaid Buy-In opportunity for working Virginians with disabilities. Prior to implementation of a program, the Department

of Medical Assistance Services is requested to conduct certain research, including surveying potential recipients, delineating financing for the program, and assessing the cost-effectiveness, availability of funding, and economic benefits. The Department of Medical Assistance Services must submit its report to the Governor and the 2003 Session of the General Assembly. This resolution is identical to HJR 219.

*Patron - Puller*

## Failed

**FHJ14 Legislative Support Commission.** Directs the Legislative Support Commission and other members from certain standing committees of the General Assembly to examine the educational activities, including Capitol tours, that take place in and around the Capitol for school groups, individual students, seniors, and other visitors.

*Patron - Hamilton*

**FHJ15 Effect of terrorist attacks on insurance industry.** Requests the Bureau of Insurance of the State Corporation Commission to study the effects of the events of September 11 and other terrorist acts on consumers, producers, and underwriters of insurance in the Commonwealth. The study is required to address the effect of the September 11 tragedies upon the cost and availability of various types of insurance in the Commonwealth and on the ability of Virginia insurers and self-insurers, including governmental entities, to obtain reinsurance for risks. It is also to address the ability of the existing insurance guaranty associations to address insurer insolvencies triggered by terrorist attacks, the likelihood that property and casualty insurance policies issued in Virginia will continue to provide coverage for losses resulting from terrorist acts, proposals pending in Congress that would provide for federal involvement in the reinsurance of risks associated with terrorist attacks, and the extent to which property and casualty insurance policies issued in Virginia should be required to insure against damage caused by terrorist acts.

*Patron - Purkey*

**FHJ30 Effects on school enrollment of school vouchers and tuition tax credits and deductions.** Establishes a 10-member joint subcommittee to study the effects of school vouchers and tuition tax credits and deductions on school enrollment. The joint subcommittee is authorized to accept contributions from any organization or individual in order to contract with a public entity to conduct a survey of parents, students, and, as necessary, other persons, across the Commonwealth to determine the potential effects of school vouchers and tuition tax credits and deductions on school enrollment.

*Patron - Marshall, R.G.*

**FHJ43 Delivery of emergency medical services and emergency mental health services in the public schools of the Commonwealth.** Directs the Joint Commission on Health Care to study emergency medical and mental health services in public schools. This bill directs attention to the components of the school crisis and emergency management plans to prevent, manage, and respond to critical events or emergencies in light of the present heightened sense of security and vulnerability. The bill also notes that the numbers and severity of school children's special health care needs have increased, including asthma, diabetes, technological dependence, behavioral and emotional disturbance, and other serious medical and mental health needs. The Joint Commission is directed to (i) review the delivery of emergency medical services and emergency mental health services in the public schools; (ii) evaluate the evolving need for nursing and mental health care in the public schools; (iii) evaluate the staffing patterns for school health

providers, particularly school nurses and school psychologists; (iv) recommend the staffing patterns needed to result in the greatest benefits to and improvements in the physical and mental health of Virginia's school children; and (v) estimate the cost to the Commonwealth and the localities of any new staffing patterns.

*Patron - O'Bannon*

**FHJ45 Arsenic risks associated with certain pressure-treated wood.** Requests the Board and Commissioner of Health to study the arsenic risks associated with wood treated with chromated copper arsenate (CCA), a pesticide. Many of the nation's outdoor wood structures are composed of CCA-treated wood; for example, decks, park benches, picnic tables, school and park playscapes, stadium bleachers, treehouses, boat decks, gazebos, and boardwalks. Recent studies indicate that the arsenic containing pesticide leaches out of the wood over time and weather exposure and that residue remains on the structure and contaminates the nearby soil. When CCA-treated wood is sawed or burned, arsenic is released and the risk of poisoning is enhanced. The symptoms of acute arsenic poisoning which can result in coma, convulsions, and death are known; however, as this resolution describes, there is an increased risk of cancer from low-dose, long-term exposure to arsenic. The Board and Commissioner of Health are directed to (i) examine the available studies relating to the arsenic risks from CCA-treated wood and other states' activities to prevent these risks; (ii) assess the arsenic risks from CCA-treated wood in the Commonwealth, e.g., from residue, burning, sawing, or otherwise; (iii) determine feasible and effective ways to publicize the safe handling of CCA-treated wood to minimize the arsenic risks; (iv) evaluate ways to inform the public about the long-term benefits of purchasing and building with products that do not contain arsenic; and (v) consider the efficacy of adding arsenic poisoning to the list of reportable diseases which, as authorized by § 32.1-35, may include exposure to toxic substances.

*Patron - O'Bannon*

**FHJ46 Appointive powers of the Governor.** Establishes a commission to examine the appointive powers of the Governor. The commission shall examine (i) the government as presently structured, (ii) the appointive and removal power of the Governor for each board, commission, council, or other governmental entity, (iii) the number of staggered terms versus the number of uniform terms, (iv) the average length of service of members appointed, (v) the confirmation process of the General Assembly, (vi) the appointive and removal power of the governor and the confirmation process in other states, and (vii) any other aspect of the appointive or confirmation process that would assist the commission in determining the proper balance of the executive prerogative. This resolution is incorporated into HJR 197.

*Patron - Purkey*

**FHJ47 Study: Qualifications of boards of visitors.** Creates a six-member joint subcommittee to study the feasibility and appropriateness of developing guidelines for appointments and terms for the governing boards of the Commonwealth's public institutions of higher education. In conducting the study, the joint subcommittee shall consider, among other things, appointment and term requirements for boards of visitors in other states; current training efforts for boards of visitors in the Commonwealth and other states; the recommendations of the Governor's Blue Ribbon Commission on Higher Education; and such other issues as it deems necessary. The joint subcommittee is to submit its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Purkey*



**FHJ49 Virginia Retirement System.** Creates the Joint Subcommittee Studying the Virginia Retirement System. The joint subcommittee shall examine, in addition to such other issues it deems advisable, (i) the present benefit structure of the Virginia Retirement System; (ii) whether the benefits provided are competitive with other public and private sector entities; and (iii) whether members are prepared for retirement by ensuring that there is a basic understanding of benefits by members for retirement financial planning purposes.

*Patron - Putney*

**FHJ51 Community health.** Requests the Joint Commission on Health Care, in consultation with other stakeholders, to develop a plan for implementing a community-based health improvement initiative to enhance the health of Virginians.

*Patron - Broman*

**FHJ59 Employment discrimination based on genetic information.** Establishes a joint subcommittee to study employment discrimination based on genetic information. The joint subcommittee shall consider (i) the extent to which existing federal laws protect employees from employment discrimination based on genetic information; (ii) whether other states have enacted legislation to address employment discrimination based on genetic information; (iii) the extent to which employment discrimination based on genetic information occurs within the Commonwealth; and (iv) the impact of anti-discrimination legislation on employment practices and costs within the Commonwealth.

*Patron - O'Bannon*

**FHJ61 Conflict of Interests Act.** Establishes a joint subcommittee to examine the State and Local Government Conflict of Interests Act. In conducting its study, the joint subcommittee shall examine (i) the definitions of "personal interest in a transaction" and "personal interest in a contract", (ii) requirements for filing disclosure statements, (iii) rules regarding the disqualification of officials and employees from participating in a transaction when a conflict exists, and (iv) any other provision of the Act that needs clarification or revision to effectuate the original intent of the conflict laws. This resolution is incorporated into HJR 31.

*Patron - McDonnell*

**FHJ62 Bail bond procedures.** Directs the Crime Commission to conduct a study examining the feasibility of and methods of providing for a percentage bond payment to the court. This resolution is incorporated into HJR 201.

*Patron - Howell*

**FHJ64 Study; persons with disabilities.** Requests the Secretary of Health and Human Resources to convene a task force to develop a plan for persons with disabilities to implement the recommendations of the Olmstead decision. In the Olmstead decision, the United States Supreme Court ruled that the unnecessary segregation of individuals with disabilities in institutions may constitute discrimination based on disability, and that states may be required to provide community-based services rather than institutional placements for these individuals.

*Patron - Hamilton*

**FHJ66 Sheriffs' staffing standards.** Creates a joint subcommittee to study staffing standards for sheriffs' departments. This resolution incorporates HJR 220.

*Patron - Cosgrove*

**FHJ67 Establishment of Battle of Great Bridge State Park.** Requests the Department of Conservation and Recreation to study the feasibility of establishing a Battle of Great Bridge State Park. In conducting the study, the Department should determine the historical and cultural significance of the battlefield area, identify available funding sources for its preservation, evaluate the costs of establishing a state park at the location, and examine similar landmarks and parks to determine the most appropriate means for preserving the Battle of Great Bridge area.

*Patron - Cosgrove*

**FHJ69 Shipbuilding industry.** Continues the Joint Subcommittee Studying Economic Incentives to Promote the Growth and Competitiveness of Virginia's Shipbuilding Industry. The joint subcommittee shall continue to examine (i) development of a water treatment process that consistently meets Virginia's 50 parts per trillion TBT discharge standard, (ii) additional methods for providing better training to and reducing turnover among shipyard workers, and (iii) promotion of Norfolk's piers as an original point of departure for cruise ships as a means of developing new business for Virginia's shipyard companies. The joint subcommittee must submit its written report to the Governor and the 2003 Session of the General Assembly. This resolution was identical to SJR 91, as introduced.

*Patron - Wardrup*

**FHJ70 Commissioners in chancery; commissioners of accounts.** Establishes a joint subcommittee to study the powers, duties, and fees of commissioners of accounts and commissioners in chancery. This resolution is incorporated into HJR 75.

*Patron - Wardrup*

**FHJ72 Confidentiality of juvenile records.** Directs the Virginia Commission on Youth to study the need for consistency in state laws governing the collection, dissemination, and disclosure of confidential juvenile records. In conducting its study, the Commission shall (i) identify and review current mandatory state and federal privacy, confidentiality, and disclosure laws; (ii) determine the circumstances under which disclosure laws supersede confidentiality laws; (iii) identify inconsistencies in state laws governing privacy, collection, dissemination, and disclosure of confidential juvenile records information; (iv) recommend appropriate and feasible changes to the Code of Virginia to clarify conflicts in state laws, while maintaining compliance with federal laws and regulations governing such areas; and (v) evaluate the need for standardized guidelines that protect the confidentiality of juvenile records during information sharing, while facilitating access to juvenile records by authorized persons and state and local agencies. The Virginia Commission on Youth must submit its written report to the Governor and the 2003 Session of the General Assembly.

*Patron - Hamilton*

**FHJ74 Needs of youth.** Requests the Virginia Commission on Youth to identify all current state-funded initiatives that attempt to address the needs of our youth to enable them to become productive citizens and provide guidance on how to facilitate the coordination of existing services and programs, analyze the effectiveness of current efforts, and promote identification and implementation of successful initiatives.

*Patron - McQuigg*

**FHJ75 Appointments by circuit courts.** Establishes a joint subcommittee to study circuit courts' powers of appointment, and the powers, duties, and fees of commissioners of accounts and commissioners in chancery. In conducting the



study, the joint subcommittee shall (i) prepare a comprehensive list of positions appointed by circuit court judges under various conditions and circumstances; (ii) determine whether circuit courts' appointive powers are appropriate for the judiciary and whether such appointive powers would be more appropriately the responsibility of another branch of government, such as the General Assembly or Governor; (iii) identify the potential conflicts of interest posed by such judicial appointments, and determine whether some judicial appointments are necessary; (iv) examine the role and duties of commissioners of accounts and commissioners in chancery throughout the Commonwealth; (v) assess the need for consistency in the duties of commissioners of accounts and in the duties of commissioners in chancery in the state; and (vi) ascertain the need for commissioners of accounts and commissioners in chancery, determine which powers can be appropriately delegated to them, review the fee structure for the services that they provide, and consider whether parameters should be established on the powers and duties that they perform. This resolution incorporates HJR 70.

*Patron - Janis*

**FHJ84 Effectiveness of mental health and substance abuse treatment services for offenders.** Requests the Secretary of Public Safety, in conjunction with the Secretary of Health and Human Resources and the Secretary of Administration, to develop a plan, including the estimated cost, for the collection of data on treatment services provided to and needed by state responsible offenders and for the evaluation of the effectiveness of treatment services. This study is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into HJR 142.

*Patron - Albo*

**FHJ86 Faculty tenure practices.** Requests the Joint Legislative Audit and Review Commission (JLARC) to study tenure practices at the Commonwealth's colleges and universities. In conducting the study, the Commission shall consider, among other things, the effect of tenure practices on college and university faculty productivity and on the quality of instruction and programming for undergraduates, any tenure studies conducted by the State Council of Higher Education, the ongoing implementation of post-tenure review in Virginia, tenure practices in other states' colleges and universities, the recommendations of the Governor's Blue Ribbon Commission on Higher Education, and related issues as the Commission deems appropriate.

*Patron - Hargrove*

**FHJ87 Women-owned businesses.** Requests JLARC to study the effectiveness of the Virginia Women's Business Advocate and the Women's Business Enterprise Programs in helping to eliminate barriers to the formation, financing, operation and growth of women-owned businesses within Virginia.

*Patron - Baskerville*

**FHJ93 Bail bondsman.** Directs the Virginia State Crime Commission to study the need for regulation, training and oversight of bail bondsman. This resolution is incorporated into HJR 20.

*Patron - Howell*

**FHJ97 Responsibilities of the Department of Transportation and local governments for maintenance of roads in private developments, mass transit, and maintenance and construction of secondary roads.** Creates an eight-member joint subcommittee to study (i) what level of responsibility the Department of Transportation should bear for the maintenance of roads in private developments and (ii) the desirability and feasibility of shifting the primary responsibility for mass

transit programs in Northern Virginia from local governments to the Department of Transportation and shifting from the Department of Transportation to local governments the primary responsibility for construction and maintenance of secondary roads. This resolution is incorporated into HJR 211.

*Patron - O'Brien*

**FHJ98 Higher education reporting requirements.** Requests the Joint Legislative Audit and Review Commission to examine the number, type, appropriateness, and use of reports required of the Commonwealth's public institutions of higher education. In conducting the study, the Commission shall consider, among other things, state-imposed reporting requirements in other states, federal reporting requirements, the recommendations of the Governor's Blue Ribbon Commission on Higher Education, and related issues as the Commission deems appropriate. The Commission shall complete its work no later than November 30, 2002, and shall submit its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - O'Brien*

**FHJ116 Mass transit.** Establishes a joint subcommittee to study new approaches for moving people through mass transit and volunteer organizations. The subcommittee shall examine existing communications systems, how new and emerging technologies can be incorporated into those systems, how volunteer organizations can utilize such technology and the liability of volunteer organizations that offer transit services. It shall complete its work by November 30, 2002, and shall submit its written findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Purkey*

**FHJ120 Mental health and substance abuse assessment and treatment services for juveniles.** Requests the Department of Juvenile Justice, the Department of Mental Health, Mental Retardation and Substance Abuse Services, and the Department of Criminal Justice Services to examine opportunities to leverage non-general fund sources of funding to meet the need for mental health and substance abuse assessment and treatment services accessible to juveniles, including those in local detention homes.

*Patron - Tata*

**FHJ121 Uniform mental health screening and assessment.** Requests the Department of Juvenile Justice to design and implement a uniform mental health screening instrument and interview process for juvenile offenders identified by probation officers as needing a mental health screening. This initiative is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into SJR 97.

*Patron - Tata*

**FHJ123 Reimbursement for behavioral evaluations.** Requests the Special Advisory Commission on Mandated Health Insurance Benefits to examine and encourage continuing education of third party payers regarding adequate reimbursement for behavioral evaluations and ADHD and study the feasibility and appropriateness of expanding reimbursement for child evaluations to address an appropriate range of mental health services, including comprehensive assessment by clinical psychologists. In conducting the study, the Commission shall seek the input and expertise of child health and psychology professionals and shall address, among other things, the feasibility of providing reimbursements for child evaluative services without tying such reimbursement to a specific, final diagnosis. The Commission shall report its written findings

and recommendations to the Governor and the 2003 Session of the General Assembly. This bill is a recommendation of HJR 660 Joint Subcommittee to Investigate the Improper Prescription and Illegal Use and Diversion of Ritalin and OxyContin and to Study the Effects of Attention Deficit Hyperactivity Disorder on Student Performance.

*Patron - Tata*

**FHJ125 Independent boards and commissions.** Directs the Joint Legislative Audit and Review Commission to study the operations, practices and duties of the state's independent boards and commissions. This resolution is incorporated into HJR 159.

*Patron - Amundson*

**FHJ129 Prescription drugs.** Establishes a joint subcommittee to study the feasibility of strengthening the Commonwealth's pharmacy purchasing power for state programs and using savings generated to create and fund a pharmacy benefits program for low-income and uninsured elderly persons. This resolution is incorporated into HJR 90.

*Patron - Thomas*

**FHJ134 Direct entry midwives.** Directs the Board of Health Professions to recommend to the General Assembly a regulatory system to establish the appropriate degree of regulation for direct entry midwives who primarily serve clients in out-patient settings.

*Patron - Hamilton*

**FHJ136 Economic development programs that assist existing businesses within the Commonwealth.** Creates a joint subcommittee to examine (i) what kinds of economic development programs currently exist that provide incentives to existing businesses within the Commonwealth, (ii) whether many existing businesses are leaving or contemplating leaving the Commonwealth and why; and (iii) what measures other states take, particularly those surrounding the Commonwealth, to retain their existing businesses and how successful the states are in such retention.

*Patron - Purkey*

**FHJ137 Mistaken identity.** Establishes a joint subcommittee to study mistaken identification in criminal cases.

*Patron - Purkey*

**FHJ138 State police.** Requests the Joint Legislative Audit and Review Commission to conduct an organizational and management review of the Virginia Department of State Police.

*Patron - Cox*

**FHJ139 Consolidation of cities in South Hampton Roads.** Establishes a joint subcommittee to study the feasibility of city consolidation in South Hampton Roads, including the Cities of Chesapeake, Norfolk, Portsmouth, Suffolk and Virginia Beach. In conducting its study, the joint subcommittee shall examine the feasibility of consolidating the Cities of Chesapeake, Norfolk, Portsmouth, Suffolk and Virginia Beach into a single city. The joint subcommittee shall examine other models whereby localities were consolidated into a single city that operates under the strong mayor/council form of government, and determine whether such a system, with a directly elected mayor, would be feasible in South Hampton Roads, to be phased in over a period of 10 to 20 years. The joint subcommittee shall further study the feasibility of permitting the consolidation of a particular city only upon a favorable vote by referendum in such city and the procedure by which the consolidation may go forward with fewer than five cities if the referendum was rejected in one or more cities. The joint

subcommittee shall examine the feasibility of allowing the constitutional officers of each of the consolidating cities to retain their individual positions during an interim period of time or until the retirement of such an officer and shall further explore an efficient method of eventually transferring the duties of such officers to a single office for the consolidated city. Other issues to be examined by the joint subcommittee shall include (i) the method by which the individual debts and obligations of the consolidating cities shall become the debts and obligations of the consolidated city; (ii) the feasibility of providing for oversight by an outside entity of new local debt of the consolidating cities during the transition period between the time of voter approval of the consolidation and the actual consolidation; (iii) the means by which utility systems within the consolidating cities may be efficiently combined or coordinated so as to provide cost-effective and uninterrupted service to the region; (iv) the feasibility of phasing in a consolidated school system under the leadership of a single school board; and (v) whether an amendment to the Constitution of Virginia will be required in order to implement a proposed consolidation.

*Patron - Joannou*

**FHJ140 Cross-training programs for criminal justice professionals and mental health providers.** Requests the Department of Mental Health, Mental Retardation and Substance Abuse Services, in conjunction with the Office of the Executive Secretary of the Supreme Court, the Department of Criminal Justice Services and the Department of Juvenile Justice, to develop and make recommendations for implementing a curriculum for cross-training law enforcement officers, judges, jail and detention home staff, and community mental health treatment staff in security and treatment services. This study is the recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into HJR 142.

*Patron - Weatherholtz*

**FHJ141 Access to medications and management of medications for offenders with mental illness.** Requests the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services to examine ways to ensure access by offenders to appropriate medications and management of medications when they are released from state correctional facilities. This study is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into HJR 142.

*Patron - Weatherholtz*

**FHJ147 Commission on reform of educational leadership.** Creates a two-year, 27-member commission to review, study and reform educational leadership. In conducting its study, the commission shall, among other things, (i) evaluate the policy environment for educational leadership; (ii) propose necessary statutory amendments or changes based on research, surveys, analysis and review of pertinent laws, guidelines, policies, regulations and practices; (iii) communicate regularly to the Board of Education any relevant findings with recommendations for needed regulatory action; and (iv) provide a forum for educational leaders to report to the commission the challenges of, and impact on, their work. This resolution is incorporated into HJR 20.

*Patron - Dillard*

**FHJ149 Sunday hunting ban.** Requests the Department of Game and Inland Fisheries to study Virginia's Sunday hunting ban and determine whether such a ban is still appropri-

ate. The Department, in conducting its study, is directed to review other states' laws on Sunday hunting, including any pending legislation that would end or limit such bans. The Department is to complete the study by November 30, 2002, and submit written findings to the Governor and the 2003 Session of the General Assembly.

*Patron - Marshall, R.G.*

**FHJ150 Taxation of farm lands.** Requests the Department of Taxation, with the assistance of the Department of Agriculture and Consumer Services, to study the feasibility of replacing the current method of taxing real estate used for farming. In conducting the study, the Department is directed to review the current method for assessing taxes for farm real estate, and alternative methods for assessing taxes including the feasibility of replacing the current method with a tax on income produced by farms. This resolution is incorporated into HJR 60.

*Patron - Marshall, R.G.*

**FHJ151 New home construction requirements to include wiring for certain telecommunications services.** Requests the Department of Housing and Community Development to issue the written results of such a study to the 2003 Session of the General Assembly.

*Patron - Marshall, R.G.*

**FHJ152 Continuation of health insurance coverage.** Directs the Joint Commission on Health Care to study measures to facilitate continuation of health insurance coverage. In conducting its study, the Joint Commission on Health Care shall consider the feasibility of a program whereby an employer that provides a health insurance benefit to an employee may be required to pay the amount of the health insurance benefit to an employee who has elected COBRA continuation of coverage under his former employer's health insurance plan, particularly in cases where coverage has been provided for chronic health conditions.

*Patron - Marshall, R.G.*

**FHJ153 Concentration of growth, development and revitalization in transit station areas.** Establishes a joint subcommittee to study the concentration of growth, development and revitalization in transit station areas and along current and proposed rail lines and the means of overcoming obstacles to such growth, development and revitalization.

*Patron - Marshall, R.G.*

**FHJ154 Governmental efficiency.** Establishes a joint subcommittee to study and monitor all state agencies to ensure that they are operating as efficiently and cost-effectively as possible and that state agencies are eliminating unnecessary functions. This resolution is incorporated into HJR 159.

*Patron - Marshall, R.G.*

**FHJ157 Commission on School Dropout Prevention.** Establishes the Commission on School Dropout Prevention. In conducting its study, the Commission shall (i) review national and state data concerning school dropout and completion rates; (ii) consider school dropout prevention efforts of other states and other programs considered to be among the best practices to address the problem; (iii) evaluate the factors and issues associated with the problem of school dropout, including the effect of public policies, family violence and dysfunction, drug abuse, teen pregnancy and other health problems, suspensions and expulsions, teacher and parent expectations, school organization and structure, chronic absences, and economic exigency on school attendance and school completion rates; and (iv) such other issues as the Commission may deem appropriate. The Commission shall submit

its written report to the Governor and the 2003 Session of the General Assembly.

*Patron - Hall*

**FHJ173 Indoor plumbing installation.** Requesting the Virginia Department of Housing and Community Development, with assistance from the Virginia Housing Study Commission, to study the need for and make recommendations to foster the improvement of organizational infrastructure, outreach efforts, technical assistance, and construction services for indoor plumbing installation in the homes of those Virginians living without indoor plumbing.

*Patron - Orrock*

**FHJ197 Appointive powers of the Governor.** Establishes a commission to examine the appointive powers of the Governor. In conducting its study, the commission shall examine (i) the government as presently structured; (ii) the appointive and removal power of the Governor for each board, commission, council, or other governmental entity; (iii) the number of staggered terms versus the number of uniform terms; (iv) the average length of service of members appointed; (v) the confirmation process of the General Assembly; (vi) the appointive and removal power of the governor and the confirmation process in other states; and (vii) any other aspect of the appointive or confirmation process that would assist the commission in determining the proper balance of the executive prerogative. This resolution also provides that if the Governor fails to make one or more appointments by April 1, 2002, such appointments shall become vacancies to be appointed as follows: the Speaker of the House shall appoint to fill the first and third vacancies and the Senate Committee on Privileges and Elections shall appoint to fill the second and fourth vacancies. The commission must submit a report of its findings and recommendations to the Governor and the 2003 Session of the General Assembly. This resolution incorporates HJR 46.

*Patron - Cole*

**FHJ204 Redistricting commission.** Establishes a joint subcommittee to study the desirability of creating a Virginia Redistricting Commission.

*Patron - Moran*

**FHJ212 Toll-free local calling.** Requests the State Corporation Commission to study the feasibility of toll-free calling in areas within the political boundaries of localities.

*Patron - Janis*

**FHJ220 Sheriffs' staffing standards.** Creates a joint subcommittee to study staffing standards for sheriffs' departments. This resolution is incorporated into HJR 66.

*Patron - Ingram*

**FHJ244 DMV evaluation.** Requests the Joint Legislative Audit and Review Commission to study the Department of Motor Vehicles, including but not limited to the Department's costs and expenses, its staffing and budget, the desirability and feasibility of funding its operation from the General Fund rather than through a special fund, its fee structure and the services it provides or could provide on a no-fee basis, its information processing systems and on-line computer interface with its customers, and the possibility for increased efficiency of operation as the result of restructuring and/or decentralization of operations.

*Patron - Phillips*

**FSJ2 Automobile title service agents.** Requests the Department of Motor Vehicles to study the appropriateness and feasibility of regulating automobile title service agents and

requiring the use of private title service agents in transactions involving the transfer of vehicles titles.

*Patron - Puller*

**FSJ13 Voluntary, universal preschool programs.** Creates a legislative study committee to examine the feasibility and appropriateness of providing universal, voluntary education for four-year-olds in the public schools. The joint subcommittee shall consider, among other things, (i) the work and recommendations of the Commission on Early Childhood and Child Day Care Programs; (ii) the administration, implementation, and funding of the current program for at-risk four-year-olds; (iii) current participation levels by local school divisions; (iv) relevant federal laws and regulations relating to preschool education and development; and (v) other issues as it deems appropriate. The joint subcommittee shall complete its work by November 30, 2002, and submit its findings and recommendations to the Governor and the 2003 Session of the General Assembly. The Senate Rules Committee agreed to informally forward this resolution to the Commission on Educational Accountability for consideration during the 2002 interim session of the issues raised by the resolution.

*Patron - Puller*

**FSJ32 Grandparents raising children.** Establishes a joint subcommittee to examine the issue and problems associated with grandparents who take on the responsibility of raising their grandchildren rather than placing them in foster care.

*Patron - Miller, Y.B.*

**FSJ36 Land takings.** Establishes a joint subcommittee to study illegal and unethical land takings.

*Patron - Miller, Y.B.*

**FSJ37 Redistricting and voting behavior.** Directs the Division of Legislative Services, in consultation with the Center for Governmental Studies at the University of Virginia, Norfolk State University, Old Dominion University, and Virginia State University, to study the historical effect of redistricting on the voting behavior and candidate choice in the Commonwealth since the adoption of the 1902 Constitution. In conducting this study, the Division shall examine the history of (i) the redistricting process of Virginia, (ii) voter registration and turnout, (iii) voting trends, (iv) turnover rates and tenure of members, (v) demographics of voters and elected officials, and (vi) the competitiveness of districts. The Division shall review publications by academic researchers, state and local historians and archivists, teachers, and students on the redistricting process and its effects on voter behavior and candidate choice.

*Patron - Miller, Y.B.*

**FSJ50 Licensing of public adjusters.** Establishes a joint subcommittee to study the licensing of public adjusters. Public adjusters investigate, negotiate, and provide advice to insured persons in their first-party claims arising under real or personal property insurance policies.

*Patron - Byrne*

**FSJ53 Commissioners in chancery; commissioners of accounts.** Establishes a joint subcommittee to study the powers, duties, and fees of commissioners of accounts and commissioners in chancery. This resolution is identical to SJR 104 and HJR 70.

*Patron - Hawkins*

**FSJ54 Criminal history records check requirements.** Establishes a joint subcommittee to study criminal history records check requirements for volunteer and service providers

to vulnerable adults and children, with the goal of developing a uniform and consistent state policy in this area.

*Patron - Ticer*

**FSJ62 Minority Certification Program.** Establishes a joint subcommittee to study the elimination of duplicative effort and requirements within the minority certification program administered by the Department of Minority Business Enterprise (DMBE). In the study, the joint subcommittee shall (i) review the minority certification process administered by the Department of Minority Business Enterprise, (ii) review efforts taken by other state agencies relating to the minority certification process, and (iii) determine whether there is unnecessary duplication of effort in the process.

*Patron - Hanger*

**FSJ71 Sheriffs' staffing standards.** Creates a joint subcommittee to study staffing standards for sheriffs' departments. This resolution is identical to HJR 66 and HJR 220. The Senate Rules Committee agreed to informally forward this resolution to the Senate Finance Subcommittee on Public Safety for consideration during the 2002 interim session of the issues raised by the resolution.

*Patron - Blevins*

**FSJ75 Teacher recruitment and retention.** Establishes a joint subcommittee to study the recruitment and retention of classroom teachers. In conducting its study, the joint subcommittee shall project the number of classroom teachers needed in Virginia over the next 10 years by region and discipline; review the teacher education process and assess the need for change; evaluate the ability and progress of alternative teacher licensure paths to supply additional qualified teachers; identify the instructional staffing needs of rural and small school divisions and recommend appropriate strategies to address the shortage of teachers in these areas; assess recruitment and retention efforts among school divisions, particularly in rural and urban underserved areas; evaluate procedures for awarding continuing contracts, including how Virginia may retain the most capable teachers and replace teachers who do not meet the qualifications, standards, and expectations set for teachers; address the issues associated with compensation of teachers; determine the adequacy of pre-service and in-service professional development of teachers; review and assess the recruitment and retention efforts of adjoining states for possible adaptation in Virginia; and, recommend ways to attract and retain an adequate supply of qualified teachers in Virginia. The Senate Rules Committee agreed to informally forward this resolution to the Commission on Educational Accountability for consideration during the 2002 interim session of the issues raised by the resolution.

*Patron - Ruff*

**FSJ78 Appointments by circuit courts.** Establishes a joint subcommittee to study circuit courts' powers of appointment. This resolution is identical to HJR 75, as introduced.

*Patron - Hawkins*

**FSJ83 Model court order.** Requests the Office of the Executive Secretary of the Supreme Court to examine the feasibility of designing and implementing a model court order that addresses mental health services. This study is the recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into SJR 97.

*Patron - Howell*

**FSJ84 Information-sharing about innovative practices among treatment providers.** Requests the Department of Mental Health, Mental Retardation and Substance Abuse

Services to explore ways to communicate information about innovative practices among providers of mental health and substance abuse treatment services to offenders. This study is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into SJR 97.

*Patron - Howell*

**FSJ90 Family Access to Medical Insurance Security (FAMIS).** Directs the Joint Commission on Health Care, in cooperation with the Department of Medical Assistance Services, to review the regulatory, statutory, and administrative provisions of the (FAMIS) Program to determine how to improve the effectiveness and efficiency of the program, and to increase enrollment. This is a recommendation of the Joint Commission on Health Care.

*Patron - Bolling*

**FSJ93 State police.** Requests the Joint Legislative Audit and Review Commission to conduct an organizational and management review of the Virginia Department of State Police. This resolution is identical to HJR 138. The Senate Rules Committee agreed to informally forward this resolution to the Senate Finance Subcommittee on Public Safety for consideration during the 2002 interim session.

*Patron - Stolle*

**FSJ95 Effectiveness of mental health and substance abuse treatment services for offenders.** Requests the Secretary of Public Safety, in conjunction with the Secretary of Health and Human Resources and the Secretary of Administration, to develop a plan, including the estimated cost, for the collection of data on treatment services provided to and needed by state responsible offenders and for the evaluation of the effectiveness of treatment services. This study is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into SJR 97.

*Patron - Martin*

**FSJ96 Access to medications and management of medications for offenders with mental illness.** Requests the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services to examine ways to ensure access by offenders to appropriate medications and management of medications when they are released from state correctional facilities. This study is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into SJR 97.

*Patron - Martin*

**FSJ100 Access to Medicaid benefits for offenders.** Requests the Department of Medical Assistance Services, in conjunction with the Department of Corrections and the Department of Juvenile Justice, to examine ways to provide immediate access to Medicaid benefits for eligible offenders when they are released from prisons, jails, juvenile correctional centers or detention homes. This study is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution is incorporated into SJR 97.

*Patron - Houck*

**FSJ101 Uniform mental health screening and assessment.** Requests the Department of Juvenile Justice to design and implement a uniform mental health screening instrument and interview process for juvenile offenders identi-

fied by probation officers as needing a mental health screening. This initiative is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution in an amended form is incorporated into SJR 97.

*Patron - Houck*

**FSJ104 Commissioners in chancery; commissioners of accounts.** Establishes a joint subcommittee to study the powers, duties, and fees of commissioners of accounts and commissioners in chancery. This resolution is identical to SJR 53 and HJR 70.

*Patron - Hawkins*

**FSJ124 Virginia's transportation programs.** Establishes an eight-member joint subcommittee (assisted by a technical advisory committee appointed by the chairman of the joint subcommittee) to conduct a two-year study of the implementation of JLARC's recommendations on aspects of Virginia's transportation programs. This resolution is identical to HJR 211, as introduced.

*Patron - Whipple*

**FSJ125 Noncontracting ancillary services providers.** Establishes a joint subcommittee to study issues relating to noncontracting ancillary services providers. This resolution describes situations whereby a consumer receives services, primarily surgery, within a participating hospital from a participating physician and assumes that all services in this setting will be provided by participating providers. Frequently, although health carriers notify consumers that coverage may be limited in situations requiring specialty care or hospital services, consumers are surprised and chagrined to receive unexpectedly large bills from noncontracting providers. In conducting its study, the joint subcommittee must (i) examine the circumstances that result in the provision of services in participating facilities by noncontracting providers; (ii) determine the pervasiveness of these circumstances within the Commonwealth; (iii) research other states' laws regarding the issues; and (iv) evaluate potential solutions. In pursuing these directives, the joint subcommittee will seek input from consumers, employers, physicians, including hospital-based physicians, hospitals and health systems, health maintenance organizations, other managed care organizations, and health insurance companies, insurance brokers, medical and other health care associations, and the Office of The Managed Care Ombudsman within the Bureau of Insurance. The Senate Rules Committee agreed to informally forward this resolution to the Joint Commission on Health Care for consideration during the 2002 interim session of the issues raised by the resolution.

*Patron - Ticer*

## Carried Over

**CHJ24 Electronic communications infrastructure study.** Requests the Department of Information Technology (DIT) to study broadening the electronic communication infrastructure across northern Virginia and report the findings and recommendations to the Governor and the 2003 General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Marshall, R.G.*

**CHJ25 Electronic communications infrastructure study.** Requests the Department of Information Technology (DIT) to study broadening the electronic communication infrastructure across the Commonwealth and report the findings and recommendations to the Governor and the 2003 General

Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Marshall, R.G.*

**CHJ26 Electronic communications infrastructure study.** Directs the Joint Commission on Technology and Science to study broadening the electronic communication infrastructure across the Commonwealth and report the findings and recommendations to the Governor and the 2003 General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Marshall, R.G.*

**CHJ27 Electronic communications infrastructure study.** Creates a joint legislative subcommittee to study broadening the electronic communication infrastructure across the Commonwealth and report the findings and recommendations to the Governor and the 2003 General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Marshall, R.G.*

**CHJ28 Electronic communications infrastructure study.** Creates a joint subcommittee to study broadening the electronic communication infrastructure across northern Virginia and report the findings and recommendations to the Governor and the 2003 General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Marshall, R.G.*

**CHJ29 Electronic communications infrastructure study.** Directs the Joint Commission on Technology and Science to study broadening the electronic communication infrastructure across northern Virginia and report the findings and recommendations to the Governor and the 2003 General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Marshall, R.G.*

**CHJ42 Medicaid reimbursement.** Directs the Joint Legislative Audit and Review Commission (JLARC) to study Medicaid reimbursement of physicians. The Commission's study shall include, but need not be limited to, an analysis of (i) the appropriateness of current reimbursement levels and methods of payment for the various physician specialties; (ii) how physician reimbursement in Virginia compares to that in other states; (iii) whether changes in the amount and method of reimbursement are needed to compensate physicians adequately for their services; and (iv) the estimated cost, if any, of any recommended changes in the amount of physician reimbursement. The Commission must complete its work and provide a preliminary report to the Governor and the chairmen of the Senate Committee on Finance, the House Committee on Appropriations, and the Joint Commission on Health Care by November 1, 2002. Thereafter, the Commission will submit its formal and written report to the Governor and the 2003 Session of the General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Bryant*

**CHJ65 Requesting the Joint Legislative Audit and Review Commission (JLARC) to review certain subdivision street standards.** Requests JLARC to review subdivision street standards and the consistency of the statewide application of those standards as they relate to the goal of increasing open space and providing low-impact development. This reso-

lution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Albo*

**CHJ78 Health Caregivers.** Establishes a Joint Subcommittee on Health Caregivers to study the geographic and socioeconomic prevalence and financial impacts of health caregivers who misuse the finances of those for whom they care. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Nutter*

**CHJ83 Waterfowl Blind Licensing Statutes.** Requests that a joint subcommittee be established to study the waterfowl blind licensing statutes. In conducting its study, the subcommittee should consider how other states provide for the hunting of waterfowl in their public waters and recommend any changes to Virginia law that it deems appropriate to maximize waterfowling opportunities for all Virginians. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Cox*

**CHJ85 Database of available inpatient psychiatric beds for children and adolescents.** Requests the Department of Mental Health, Mental Retardation and Substance Abuse Services, in conjunction with the Virginia Hospital and Healthcare Association and private providers, to study the feasibility of developing a web-based system for providing daily updated information on licensed and available acute psychiatric inpatient beds for children and adolescents. This study is a recommendation of the Committee Studying Treatment Options for Offenders with Mental Illness or Substance Abuse Disorders (SJR 440, 2001). This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Albo*

**CHJ135 Accounting reporting requirements.** Establishes a joint subcommittee to study how the Commonwealth's financial accounting reporting standards relate to comparable standards implemented by the Securities and Exchange Commission. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Purkey*

**CHJ148 Stem cell research.** Establishes a 17-member joint subcommittee to study the medical, ethical, and scientific issues relating to stem cell research conducted within the Commonwealth. The joint subcommittee must examine the medical, ethical and scientific policy implications of prohibiting the creation of embryos in vitro for any purpose other than bringing them to birth, and the criminalizing of the transfer of compensation, in cash or in-kind, to induce any person to donate sperm or eggs for any purpose other than procreation. The joint subcommittee will also study the efficacy of research using adult stem cells rather than embryonic stem cells. The work of the joint subcommittee must be completed by November 30, 2002, and a written report submitted to the Governor and the 2003 Session of the General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Marshall, R.G.*

**CHJ167 Construction, renovation and maintenance of local law enforcement facilities.** Creates the Joint Subcommittee Studying Local Law Enforcement Construction, Renovation and Maintenance of local law enforcement facilities to review and evaluate the use of competitive federal, state and private grant funds awarded to local law enforcement depart-

ments to support construction, renovation and maintenance of police facilities. The joint subcommittee must submit its written findings and recommendations to the Governor and the 2003 Session of the General Assembly. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Melvin*

**CHJ203 Sex offenses against children.** Directs the Virginia State Crime Commission to study all penalties for crimes involving sexual offenders and crimes against children. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Albo*

**CHJ205 Biodiesel fuel.** Requests the Secretary of Administration to study the feasibility of using biodiesel fuel in state-owned vehicles and equipment and recommend ways the Commonwealth could assist the private sector in the establishment of a biodiesel fuel refinery in Virginia. This resolution was continued to the 2003 Session of the General Assembly in the House Committee on Rules.

*Patron - Pollard*

**CSJ11 Prevalence of Ritalin and other psychotropic drug prescriptions.** Requests the Department of Health to conduct a study to determine the prevalence of prescription and use of Ritalin and other psychotropic medications among school-aged children in the Commonwealth. In conducting the study, the Department may contract for services with appropriate private research organizations with public health expertise. The Department shall complete its work in time to submit its findings and recommendations to the Governor and the 2003 Session of the General Assembly.

*Patron - Miller, Y.B.*

**CSJ38 Medicaid reimbursement.** Requests the Joint Legislative Audit and Review Commission (JLARC) to study Medicaid reimbursement of physicians. This resolution is identical to HJR 42, as introduced.

*Patron - Bolling*

**CSJ60 Adoption.** Establishes a joint subcommittee to study the adoption system in the Commonwealth.

*Patron - Hanger*

**CSJ67 Sharing protected health information.** Directs the Departments of Health, Mental Health, Mental Retardation and Substance Abuse Services, Medical Assistance Services, and Social Services, in cooperation with the Office of the Attorney General, to develop a secure system for sharing protected health information. This resolution notes the prevalence of lead poisoning among children and that lead poisoning is preventable and yet, because it causes irreversible neurological damage, affects the functioning and health of children throughout their lives. The resolution states that lead poisoning prevention and other state activities relating to the prevention and control of disease and health care benefits require the sharing of patient data in order to track, treat, follow-up and provide services to affected persons, particularly children. The regulations promulgated pursuant to the federal Health Insurance Portability and Accountability Act of 1996 relating to standards for security and privacy of health information and the concerns these regulations are generating among state agencies are described. The Departments are directed to design the secure system for sharing data to authorize covered entities to disclose protected health information without consent or authorization from the patient and to comply with the requirements of the HIPAA regulations. They are also directed to examine the preemption rule within the HIPAA privacy regulations,

which validates state laws that deal with reporting of certain matters, the exceptions to the consent rule and exceptions to the requirements for authorization and notice relating to public health activities, health oversight activities, and prevention of serious harm to as well as serious threats to the health and safety of individuals and the public at large. The feasibility of integrating a referral or notice procedure or network into the secure system must be examined. This resolution is a recommendation of the Joint Subcommittee Studying Lead-Poisoning Prevention.

*Patron - Lambert*

**CSJ72 Establishment of Battle of Great Bridge State Park.** Requests the Department of Conservation and Recreation to study the feasibility of establishing a Battle of Great Bridge State Park. In conducting the study, the Department should determine the historical and cultural significance of the battlefield area, identify available funding sources for its preservation, evaluate the costs of establishing a state park at the location, and examine similar landmarks and parks to determine the most appropriate means for preserving the Battle of Great Bridge area.

*Patron - Blevins*

**CSJ81 Survivor benefit for the health insurance credit program.** Directs the Virginia Retirement System to study the feasibility, cost and impact of a survivor benefit for the health insurance credit program.

*Patron - Newman*

**CSJ86 Criminal convictions.** Creates a joint subcommittee to study the collateral consequences of criminal convictions. Some of these consequences are restrictions on voting, owning a gun, adopting a child, pursuing certain occupations, serving in the military, receiving public assistance, and receiving student loans

*Patron - Maxwell*

**CSJ88 Public/private partnerships for innovations in school construction.** Establishes a commission to study public/private partnerships for innovations in school construction. This 21-member commission will be charged with examining (i) the current Virginia law vis-a-vis the authority to enter into public/private partnerships for school construction, including contracts to benefit both parties relating to innovations in energy conservation, flexible building, design and building uses, leasing of facilities, and design-build contracts, and (ii) funding mechanisms for K-12 education and school construction in relationship to local governments' fiscal integrity and the constitutional restraints on local debt capacity.

*Patron - Puller*

**CSJ98 Medicaid reimbursement.** Requests Joint Legislative Audit and Review Council (JLARC) to review the Medicaid reimbursement rates for services provided to clients of community services boards to determine their adequacy and the need for regular adjustment. Prior to voting to continue the resolution to the 2003 Session, the Senate Rules Committee adopted amendments that would request the Department of Medical Assistance Services to conduct the review.

*Patron - Martin*

**CSJ112 Construction, renovation and maintenance of local law-enforcement facilities.** Creates the Joint Subcommittee Studying Local Law Enforcement Construction, Renovation and Maintenance of local law-enforcement facilities to review and evaluate the use of competitive federal, state and private grant funds awarded to local law-enforcement depart-

ments to support construction, renovation and maintenance of police facilities. This resolution is identical to HJR 157.

*Patron - Lucas*

**CSJ113 Marriage and fatherhood.** Establishes the Commonwealth Marriage and Parenting Skills Commission to promote marriage education in the schools, responsible fatherhood, and related family-strengthening measures.

*Patron - Hanger*

**CSJ123 Interstate Route 81 reconstruction and widening.** Establishes an 18-member advisory task force to serve as an institutional link between the Department of Transportation and affected communities, businesses, and citizens during the reconstruction and widening of Interstate Route 81.

*Patron - Hanger*

**CSJ127 Virginia's Home and Community Based Waiver Program.** Requests the Joint Legislative Audit and Review Commission (JLARC), the Secretary of Health and Human Resources, and the Department of Medical Assistance Services to study Virginia's Home and Community Based Services Waiver Program. The study group shall review and make recommendations to improve the program's policies, manuals, procedures and regulations, and the State Medicaid Plan to make them more responsive to consumers needs by utilizing external, expert input from other effective state programs, the Virginia Statewide Independent Council's CIRCLE report, 2001, and JLARC's interim report on the Department of Medical Assistance Services. Prior to voting to continue the resolution to the 2003 Session, the Senate Rules Committee adopted a substitute to limit the study to a JLARC review of the CIRCLE recommendations.

*Patron - Puller*